

AGENDA
ARK-TEX COUNCIL OF GOVERNMENTS
BOARD OF DIRECTORS MEETING
December 8, 2022

The Ark-Tex Council of Governments (ATCOG) Board of Directors will meet at 10:00 a.m., Thursday, December 8, 2022, at the Ark-Tex Council of Governments Office, EOC Room, 4808 Elizabeth Street, Texarkana, Texas, as well as via teleconference/webinar.

If attending via Zoom, use the following information to register for the meeting:

https://us06web.zoom.us/meeting/register/tZwtcuurrzktEtLS12MWfIqr5F7WgyPJS_Jj

If you experience issues while registering or do not have access to a computer, please contact Marla Matthews no less than two (2) workdays prior to the meeting at 903.255.3555 or mmatthews@atcog.org.

Item 1. Call to order – Quorum Determination.

Item 2. Invocation.

Item 3. Public Comment.

ATCOG invites members of the public to provide oral comment on any item included on this agenda under this item. Each person wishing to make a public comment shall be limited to 3 minutes, with comments directed to the Board as a whole. Reasonable accommodation shall be made for members of the public utilizing a translator for public comment.

Item 4. Review and consider consent agenda items. (To be presented by Executive Director Chris Brown)

- Approval of the minutes as submitted for the ATCOG Board of Directors Meeting held Thursday, September 29, 2022. (See [Addendum](#) page 1)
- Acceptance of the minutes as submitted for the ATCOG Regional Criminal Justice Advisory Committee meeting held Thursday, November 17, 2022. (See [Addendum](#) page 8)

Review and Comment

Item 5. Executive Director Report (For information only, see page 4; to be presented by Executive Director Chris Brown)

- Indirect Finance Quarterly Report
- Quarterly Program Reports

Regular Business

Item 6. Review and consider approval of a one-year extension to the agreement with Pattillo, Brown & Hill, LLP to provide auditing services from October 1, 2022, through September 30, 2023. (See page 25; to be presented by staff member Mary Beth Rudel)

- Item 7. Review and consider approval of revisions to the ATCOG Policies and Procedures Manual. (See page 27; to be presented by staff member Mary Beth Rudel)
- Item 8. Review and consider approval of the purchase of Q'Straint Incline Floor Mount Winch Systems for the TRAX and Paris Metro fleets. (See page 41; to be presented by staff member Sheena Record)
- Item 9. Review and consider approval of the revisions to the Regional Criminal Justice Advisory Committee (RCJAC) Bylaws. (See page 43; to be presented by staff member Patricia Haley)
- Item 10. Review and consider approval of the revisions to the Regional Criminal Justice Advisory Committee (RCJAC) local priorities and the grant application scoring instrument. (See page 56; to be presented by staff member Patricia Haley)
- Item 11. Review and approve continual use of the allocation formula for FY2023 as the method for allocating State Homeland Security Program (SHSP) funds to jurisdictions. (See page 79; to be presented by staff member Whitney Fezell)
- Item 12. Review and consider approval of revisions to the Homeland Security Advisory Committee (HSAC) bylaws. (See page 84; to be presented by staff member Whitney Fezell)
- Item 13. Review and consider approval of the Ark-Tex Council of Governments' (ATCOG) Threat and Hazard Identification and Risk Assessment (THIRA), State Preparedness Report (SPR), and the Homeland Security Implementation Plan for 2023. (See page 97 and [Addendum](#) page 22; to be presented by staff member Whitney Fezell)
- Item 14. Review and consider adoption of a resolution supporting the ATCOG Region Broadband Survey and Awareness Project. (See page 99; to be presented by Executive Director Chris Brown)
- Item 15. Review and consider approval of the removal of a current signature authority and approval of new additional signature authorities for Guaranty Bank and Trust. (See page 100; to be presented by Executive Director Chris Brown)
- Item 16. Review and consider approval of revisions to the ATCOG Accounting Policies and Procedures. (See page 102; to be presented by Executive Director Chris Brown)
- Item 17. Review and consider authorizing the Executive Director to enter into a contract to complete renovations at the Paris office building. (See page 105; with additional information to be presented by staff member Mary Beth Rudel)

Other Business

- Item 18. Presentation from Mr. Stephen McLemore, Owner/Operator of Ark-La-Tex Processing in Linden, Cass County, Texas, regarding proper scrap tire disposal.
- Item 19. Recognition and appreciation of the Honorable Brian Lee's service on the ATCOG Board of Directors and Executive Committee. (To be presented by Judge L.D. Williamson)
- Item 20. Recognition and appreciation of the Honorable L.D. Williamson's service on the ATCOG Board of Directors and Executive Committee. (To be presented by Judge Brian Lee)

Announcements

The NADO Washington Policy Conference will occur March 12th – 15th. This is a great time to visit with our House and Senate Members along with their staff. A draft agenda is attached. (See page 107)

The next ATCOG Executive Committee meeting will be held Thursday, January 26, 2023, at 10:00 a.m., at the Northeast Texas Small Business Development Center (SBDC), 2nd Floor, located at 105 North Riddle Avenue, Mt. Pleasant, Texas, and via teleconference/webinar.

Pursuant to the Texas Open Meeting Act, Government Code Chapter 551 one or more of the above items may be considered in executive session closed to the public, including but not limited to consultation with attorney pursuant to Texas Government Code Section 551.071 and Section 551.074 arising out of the attorney's ethical duty to advise ATCOG concerning legal issues arising from an agenda item. Any decision held on such matter will be taken or conducted in open session following the conclusion of the executive session.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact Administration at 903-832-8636 two (2) work days prior to the meeting so that appropriate arrangements can be made.

All agendas are sent electronically and available at www.atcog.org. Should any Board Member need a copy printed and available at the meeting, please call 903.255.3555 or email mmatthews@atcog.org.

ARK TEX COUNCIL OF GOVERNMENTS
DIRECTORS REPORT

09.30.2022

Fiscal year thru period ending 09.30.2022

0010 - Executive

Description	Quarter to date	Year to date	Ytd encumbrnce	Annual budget	Annual variance	% used
50110 SALARIES	58,545.80	216,532.20	-	208,250.00	8,282.20	1.04
50210 BENEFITS	29,804.18	108,238.30	-	97,725.00	10,513.30	1.11
50225 COVID LEAVE	-	-	-	-	-	-
50310 STAFF TRAVEL	1,897.19	7,152.73	-	12,000.00	(4,847.27)	0.60
50312 REGISTRATION	375.00	1,358.34	-	1,500.00	(141.66)	0.91
50319 TRAINING	797.62	2,314.59	-	-	2,314.59	-
50410 RENT/SPACE	2,147.99	11,461.22	-	13,500.00	(2,038.78)	0.85
50420 TELEPHONE	784.84	3,703.04	-	7,000.00	(3,296.96)	0.53
50430 POSTAGE	151.65	1,127.28	-	600.00	527.28	1.88
50440 COPIER	1,329.81	3,071.42	-	675.00	2,396.42	4.55
50510 OTHER INDIRECT	718.00	2,164.00	-	12,000.00	(9,836.00)	0.18
50511 OFFICE SUPPLIES	8,130.73	8,346.12	-	6,200.00	2,146.12	1.35
50512 REPRODUCTION & PUBLICATIONS	-	-	-	250.00	(250.00)	-
50514 PERIODICALS	3,227.69	3,910.92	-	650.00	3,260.92	6.02
50515 MEMBERSHIP DUES	33.33	493.33	-	5,500.00	(5,006.67)	0.09
50515 MEMBERSHIP DUES - LOCAL						
50518 BUILDING/GROUNDS MAINT				-	-	-
50523 SOFTWARE MAINTENANCE				5,500.00	(5,500.00)	-
50525 INTEREST			-	3,200.00	(3,200.00)	-
50531 DRUG TESTING					-	
50610 EQUIPMENT						
50612 COMPUTER SOFTWARE	1,362.00	1,362.00	-	-	1,362.00	
Total EXPENSE	109,305.83	371,235.49	-	374,550.00	(3,314.51)	1.12

ARK TEX COUNCIL OF GOVERNMENTS
DIRECTORS REPORT

09.03.2022

Fiscal year thru period ending 09.30.2022

0020 - Administrative

Description	Quarter to date	Year to date	Ytd encumbrnce	Annual budget	Annual variance	% used
50110 SALARIES	35,377.58	125,370.17	-	77,059.00	48,311.17	1.63
50210 BENEFITS	17,788.88	62,189.75	-	38,414.00	23,775.75	1.62
50225 COVID LEAVE						
50310 STAFF TRAVEL	240.56	762.17	-	6,000.00	(5,237.83)	0.13
50312 REGISTRATION	-	239.58	-	1,850.00	(1,610.42)	0.13
50319 TRAINING	65.00	65.00	-	-	65.00	-
50410 RENT/SPACE	1,376.16	6,144.01	-	7,100.00	(955.99)	0.87
50420 TELEPHONE	437.68	2,019.27	-	3,000.00	(980.73)	0.67
50430 POSTAGE	8.55	1,840.60	-	275.00	1,565.60	6.69
50440 COPIER	51.18	1,093.77	-	2,000.00	(906.23)	0.55
50510 OTHER INDIRECT		2,815.61	-	7,500.00	(4,684.39)	0.38
50511 OFFICE SUPPLIES	6.25	1,504.93	-	1,150.00	354.93	1.31
50512 PERIODICALS & PUBLICATIONS			-	3,000.00	(3,000.00)	-
50514 MEMBERSHIP DUES	229.00	7,838.91	-	7,500.00	338.91	1.05
50515 ADVERTISEMENT			-	200.00	(200.00)	-
50521 LEGAL & ACCT FEES			-		-	
50522 INSURANCE/BONDING			-	12,000.00	(12,000.00)	-
50523 SOFTWARE MAINTENANCE	1,113.60	4,061.66	-	1,200.00	2,861.66	3.38
50524 BANKING SERVICES			-		-	
50525 INTEREST			-	2,000.00	(2,000.00)	-
50530 CONTRACT LABOR		996.48			996.48	
50531 Contract - DRUG TESTING	297.50	2,287.50			2,287.50	
50540 PROFESSIONAL SERVICES	639.40	1,606.90			1,606.90	
Total EXPENSE	57,631.34	220,836.31	-	170,248.00	50,588.31	1.15

ARK TEX COUNCIL OF GOVERNMENTS
DIRECTORS REPORT

09.30.2022

Fiscal year thru period ending 09.30.2022

0030 - Board

Description	Quarter to date	Year to date	Ytd encumbrnce	Annual budget	Annual variance	% used
50310 BOARD TRAVEL	-	-	-	1,000.00	(1,000.00)	
50312 BOARD REGISTRATION	-	-	-	3,500.00	(3,500.00)	-
50510 OTHER INDIRECT	451.85	451.85	-	-	451.85	
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Total EXPENSE	-	-	-	4,500.00	(4,048.15)	-
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ARK TEX COUNCIL OF GOVERNMENTS
DIRECTORS REPORT

09.30.2022

Fiscal year thru period ending 09.30.2022

0040 - Finance

Description	Quarter to date	Year to date	Ytd encumbrnce	Annual budget	Annual variance	% used
50110 SALARIES	40,051.99	124,402.66	-	154,196.00	(29,793.34)	0.81
50210 BENEFITS	20,858.91	60,372.09	-	72,359.00	(11,986.91)	0.83
50225 COVID LEAVE						
50310 TRAVEL	-	63.18	-	2,000.00	(1,936.82)	0.03
50312 REGISTRATION/TRAINING	-	83.33	-	15,500.00	(15,416.67)	0.01
50410 RENT/SPACE	1,600.40	6,440.49	-	6,000.00	440.49	1.07
50420 TELEPHONE	391.22	1,889.04	-	2,600.00	(710.96)	0.73
50430 POSTAGE	113.89	562.39	-	3,000.00	(2,437.61)	0.19
50440 COPIER	1,553.70	5,155.76	-	575.00	4,580.76	8.97
50510 OTHER INDIRECT	322.96	322.96	-	1,500.00	(1,177.04)	0.22
50511 OFFICE SUPPLIES	1,542.94	4,858.42	-	15,000.00	(10,141.58)	0.32
50512 PERIODICALS & PUBLICATIONS				550.00	(550.00)	-
50515 MEMBERSHIP DUES	-	150.00	-	325.00	(175.00)	0.46
50516 ADVERTISING				200.00	(200.00)	-
50520 AUDIT & ACCOUNTING	3,250.00	38,850.00	-	38,000.00	850.00	1.02
50521 LEGAL & ACCOUNTING	-	236.64	-			-
50522 INSURANCE & BONDING	-	13,124.99	-			-
50523 SOFTWARE MAINTENANCE	1,368.00	13,131.12	-	10,000.00	3,131.12	1.31
50524 BANKING SERVICES				-	-	-
50525 INTEREST				-	-	-
50530 CONTRACT LABOR				-	-	-
50540 PROFESSIONAL SERVICES	100.00	3,800.00	-	-	3,800.00	
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Total EXPENSE	71,054.01	269,643.07	-	321,805.00	(65,523.56)	0.84
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ARK TEX COUNCIL OF GOVERNMENTS
DIRECTORS REPORT

09.30.2022

Fiscal year thru period ending 09.30.2022

0050 - Regional Development

Description	Quarter to date	Year to date	Ytd encumbrnce	Annual budget	Annual var	% used
50110 SALARIES	28.86	210.22	-	49,400.00	(49,189.78)	0.0043
50210 BENEFITS	16.31	115.25	-	23,182.00	(23,066.75)	0.0050
50410 RENT/SPACE	0.92	14.34	-	2,500.00	(2,485.66)	0.0057
50420 TELEPHONE	0.11	3.35	-	1,020.00	(1,016.65)	0.0033
50430 POSTAGE	-	-	-	-	-	-
50440 COPIER	-	-	-	-	-	-
50510 OTHER	-	-	-	-	-	-
50515 MEMBERSHIP DUES	-	-	-	3,000.00	(3,000.00)	-
50523 COMPUTER SOFTWARE	-	-	-	-	-	-
50525 INTEREST	-	-	-	-	-	-
Total EXPENSE	46.20	343.16	-	79,102.00	(78,758.84)	0.0182

ARK TEX COUNCIL OF GOVERNMENTS
DIRECTORS REPORT

09.30.2022

Fiscal year thru period ending 09.30.2022

0070 - Avery

Description	Quarter to date	Year to date	Ytd encumbrnce	Annual budget	Annual var	% used
50110 SALARIES	890.25	2,139.45	-	2,000.00	139.45	1.07
50210 BENEFITS	465.00	1,034.11	-	700.00	334.11	1.48
50410 RENT/SPACE	19.88	89.18	-	200.00	(110.82)	0.45
50420 TELEPHONE	3.95	19.54	-	25.00	(5.46)	0.78
50430 POSTAGE	-	-	-	-	-	-
50511 OFFICE SUPPLIES	479.90	479.90	-	-	-	-
50521 LEGAL & ACCOUNTING	-	24.95	-	25.00	(0.05)	1.00
Total EXPENSE	1,858.98	3,787.13	-	2,950.00	357.23	0.80

Housing Programs Quarterly Report

Housing Choice Voucher Program

County	Total Tenants	Contract Rent	Tenant Rent	HAP to Landlords
Bowie	750	\$547,814.00	\$156,339.00	\$382,742.00
Camp	26	\$18,108.00	\$3,035.00	\$13,966.00
Cass	56	\$34,167.00	\$9,466.00	\$23,671.00
Delta	10	\$6,275.00	\$1,776.00	\$4,263.00
Franklin	27	\$16,859.00	\$4,168.00	\$12,048.00
Hopkins	134	\$90,618.00	\$34,148.00	\$55,607.00
Lamar	110	\$67,585.00	\$23,703.00	\$42,930.00
Morris	51	\$34,441.00	\$6,091.00	\$27,364.00
Red River	34	\$18,209.00	\$3,395.00	\$13,501.00
Titus	164	\$109,607.00	\$28,313.00	\$79,135.00
Upshur	60	\$40,687.00	\$13,147.00	\$27,284.00
Wood	13	\$9,356.00	\$1,453.00	\$7,655.00
Port Outs	18	\$750.00	\$550.00	\$22,817.00
Issued	250			
Monthly Totals	1703	\$994,476.00	\$285,584.00	\$712,983.00

ESG Homeless Prevention Grant

\$34,277.00 active grant
\$164,631.00 - active as of Nov.1, 2022

ESG HP and RRH Cares Grant

no active grants

Emergency Rental Assistance Grant-1

No active grants

Family Self Sufficiency Grant

FSS Escrow Expense- \$8,980.00

Trainings During the Quarter

Mae Lewis --- Homeownership Counseling - continuous
Daneshia Walton---Homeownership Counseling-continuous
Victoria Craig- Housing Management Training
Daneshia Walton- FSS Conference
Mae Lewis and Marilyn Reed--- Texas Homeless Conference
Housing Staff-Fair Housing Training

All Housing Staff attended the Texas Housing Association Conference

HOMELAND SECURITY

Grantee	Project Title	Grant Number	Grant Status	Current Award	Expended	Project Period
Ark-Tex Council of Governments	ATCOG Planning, Training and Exercises Project	2946007	Active	88,000.00	62,361.99	9/1/21-8/31/22
Ark-Tex Council of Governments	ATCOG-Franklin County Emergency Radio Infrastructure	3979301	Closed	127,328.59	127,328.99	9/1/20-11/30/21
Ark-Tex Council of Governments	ATCOG-Red River County Emergency Radio Infrastructure	4110101	Active	134,794.85	460.37	9/1/20-8/31/22
Ark-Tex Council of Governments	ATCOG-Lamar County Emergency Radio Infrastructure	4115701	Closed	163,652.17	163,652.17	9/1/20-11/30/21
Red River County	In-car Radio Upgrade Project	4288001	Active	36,268.28	36,268.00	10/1/21-9/30/22
Sulphur Springs, City of	Ventilation Fan Project	4257201	Pending Closeout	7,590.00	7,590.00	11/1/21-10/31/22
Hopkins County	AET Thermal Imaging Project	4295301	Closed	18,314.00	18,314.00	11/1/21-6/30/22
Lamar County	AET - Lamar County Sheriff's Office Special Operations Team Project	4311501	Active	46,680.00	35,003.88	10/1/21-9/30/22
Lamar County	Lamar County Regional Hazmat Team Detector Project	4314501	Closed	24,990.00	24,990.00	10/1/21-7/31/22

INFORMATION:

TEXAS DEPARTMENT OF AGRICULTURE

1. CDBG Listserv Signup

The Texas Department of Agriculture (TDA) administers HUD's non-entitlement Community Development Block Grant (CDBG) program for the State of Texas. In connection with that responsibility, dissemination of information (often time-sensitive) to stakeholders is important. Following are examples of information communicated to stakeholders: **Notice of funding rounds, availability of funds, public notices, workshops, and general program information.** Subscribe to CDBG by filling out the form located at the following link:

<http://lists.state.tx.us/mailman/listinfo/cdbg>

You will be sent an email requesting confirmation, to prevent others from gratuitously subscribing to you.

2. Community Development Block Grant (TxCDBG) Program for Rural Texas

Click [HERE](#) for more information about the TxCDBG program.
[TxCDBG Information Sheet](#)

GRANTS:

Grants in Process:

**Paris Economic Development Corp,
Lamar County**

\$1,472,916.00

NOTE: Paris Grant was not considered under ARPA funds; Grant was resubmitted requesting October consideration under EDA Public Works & Adjustment Assistance Program. May require documentation adjustments per EDA.

2021 EDA ARPA Public Works & Economic Adjustment Assistance Programs

Infrastructure Northwest Industrial Park & Jobs

\$368,229.00 match

Submitted Grants:

**City of Avery
Red River County**

**Bowie Parkway Project,
Bowie County**

\$200,000.00

**TexAmerica's Center,
Bowie County**

\$424,726.00

**City of Hooks
Bowie County**

2022 TxCDBG FAST Fund Grant (*application due July 2022*)
Fire Truck

\$516,606.00

\$7,500.00 match

2022 Bowie Parkway Project
Northeast Texas Regional Mobility Authority (NET RMA)
Route/Traffic Study & Geotech w/Schematic Design

\$50,000.00 match

2021 CRISI Grant
Federal Railroad Administration
Engineering & NEPA Railcar Storage Yard

\$426,428.00 match

2021/2022 CDBG Community Development Fund
Sewer Infrastructure

\$350,000.00 **\$35,000.00 match**
Not selected for 2021 round one of CDBG funding- moved to 2022 for funding consideration

Active Grants:

<p>City of Sulphur Springs, Hopkins County</p> <p>\$2,380,000.00</p>	<p>2020 EDA Cares Act Public Works & Economic Adjustment Assistance Programs Coal Property Development – Infrastructure & Jobs</p> <p style="text-align: right;">\$596,960.00 match</p> <p>EDA GRANT # 08-79-05609</p>
<p>TexAmerica's Center, Bowie County</p> <p>\$864,550.00</p>	<p>2020 EDA Public Works & Economic Adjustment Assistance Programs Rail & Jobs</p> <p style="text-align: right;">\$216,138.00 match</p> <p>EDA GRANT # 08-79-05568</p>
<p>City of DeKalb, Bowie County</p>	<p>2020 EDA Public Works & Economic Adjustment Assistance Programs Wastewater, Sewer, Water Lines & Meters Easement & Jobs</p> <p>\$2,000,000.00 \$559,858.00 match</p> <p>EDA GRANT # 08-01-05486</p>
<p>Hopkins County Sulphur Springs EDC Hopkins County</p>	<p>2018 EDA Public Works & Economic Adjustment Assistance Programs \$1,500,000.00 \$1,000,000.00 match</p> <p>EDA GRANT # 08-79-05222</p>
<p>City of Hooks, Bowie County</p>	<p>2020 EDA Public Works & Economic Adjustment Assistance Programs Waste Water Treatment Plant Upgrade</p> <p>\$850,000.00 \$212,500.00 match</p> <p>EDA GRANT # 08-01-05371</p>
<p>Ark-Tex COG NETEDD</p>	<p>2020 EDA Public Works & Economic Adjustment Assistance Programs \$400,000.00 \$0.00 match</p> <p>EDA GRANT # ED20AUS3070061</p>
<p>NETEDD Revolving Loan Fund (RLF)</p>	<p>2020 EDA Public Works & Economic Adjustment Assistance Programs \$3,186,179.31 \$1,059,109.81 match</p> <p>NETEDD GRANT # 08-57-02889</p>
<p>NETEDD PLANNING</p>	<p>2021 3 Year Planning Grant \$210,000.00 \$52,500.00 match</p> <p>EDA GRANT # ED21AUS3020017</p>
<p>Ark-Tex COG NETEDD</p> <p>\$500,000.00</p>	<p>Rural Business Development Grant (RBDG) USDA – Revolving Loan Fund Rural Business Development Grant Revolving Loan Fund</p> <p style="text-align: right;">\$100,000.00 match</p> <p>USDA 49-019-565975011</p>

Ark-Tex COG
NETEDD

2020 EDA RLF SUPPLEMENT - COVID
CARES ACT
\$550,000.00
EDA GRANT # 08-79-05424 \$0.00 match
"FUNDS REVOLVED"

Grants in Process for Funding: N/A

Denied Grants: N/A

HAZARD MITIGATION

Plan(s) In Process:

Franklin County Hazard Mitigation Plan
Titus County Hazard Mitigation Plan

Plan(s) Pending FEMA/County & City Final Resolutions:

Bowie County Hazard Mitigation Plan

TRAINING:

Reviewed CDBG TDA-GO to provide information to City of Avery
TDA-GO TEAM Meeting online
Reconnecting Communities Grant Program Overview for Prospective Applicants
Brownfields Conference and Training Oklahoma City
Reconnecting Communities-Benefit Cost Analysis Webinar
TARC training Austin

CERTIFICATIONS:

2022 TxCDBG Pre-Qualified Professional Administrative Services

Ark-Tex Council of Governments
Toni Lindsey – Contact Information Texas Department of Agriculture website

2022 TxCDBG Grant Administrators & Environmental Certificate:

Toni Lindsey, Regional Development Director
Melody Harmon, Economic Development Director
Brianna O'Shaughnessy, Development Specialist
Kathy McCollum, Environmental/Hazard Mitigation Specialist

FBI Background Clearances for SBA to assist Economic Development Director:

Toni Lindsey, Regional Development Director
Sarah James, Development Specialist

Economic Development Quarterly Report July – September 2022

RLF Program Information:

Loan Projects in Application Process

NETEDD: 19 active loan referrals are in progress including:

- Multi-purpose in Greenville (Hunt County Historic Property revitalization)
- Tree Trimming Business (Hunt County)
- 3 Meat Processing/Markets: Bowie County, Cass County, Lamar County
- 1 New manufacturer expanding/relocating (Bowie County)
- Recreational Wear for Water Sports (Hopkins County)
- RV Park (Hunt County)
- Gaming Lounge (Bowie County)
- Restaurants (3) throughout the region DF (Hunt County), MOMO (Bowie County) and 1 other Bowie County
- Solar Company (Hopkins County)
- Media Co. (Hopkins County)
- Boat builder (Hughes Springs County)
- Audio Company (Bowie County)
- Commercial Cleaning (Cass County)
- Lodge at GBC (related to SBA project in Titus County)
- Skate Waco related to current RLF expansion for equipment (McLennan County)

Loans Funded 4th Quarter 2022

- Southern Paper Processing Equipment (Bowie County)
- Red River Tire and Lube (Red River County)
- Gap Tractor Parts (Bosque County)

Loans Approved for Funding next Quarter

- Pietro's Piazza (Gregg County)

Loans Going to Committee for Review in November

- Branding Iron (Cass County)
- Teriyaki Madness (Gregg County)
- Gas Station (Titus County)

Revolving Loan Funds (RLF) Program Active Loans July through September 2022:

NETEDD – 8

Red River Tire and Lube
Southern Paper Converting
ESNR
Longhorn Tire Coppertop KNB Music
Phinisse Farms Winery (Under COVID Guidance)
Phoenix (Under COVID Guidance)

ETRAP Loans -5

Marroquin
Leigh Water Supply
Coppertop
Rowe Casa
Longhorn Tire

CHAPMAN - 6

Clarksville EDC
City of Deport
City of Avery
Bowie County ESD #6
City of DeKalb
We Pack CD

COVID RLF Loans - 4

Coppertop
Caffe Crema
Truck 'n Awesome
Phoenix Skool Buses

**USDA RLF-awarded to us and
awaiting applications for loan
funding.**

NETEDD, former CTEDD Loans - 5

Fire Street Pizza
Gardner Valvoline/Express-Hector Alvarez
Kevin & Monita Keathley
Skate Waco, Inc.
Grace Discovery

FmHA RLF acquired from CTEDD - 1

Gap Tractor Parts

ATRDC Program Information:

- Total Loans in SBA 504 Portfolio – 18
- Total Original Issued Loan Amount - \$11,717,000
- Balance on Books as of 9/30/22 - \$8,803,557.66

***All SBA 504 loans have resumed normal payments except 1 qualified CARES Act hotel loan.**

ATRDC 504 Loan Program Monthly Income from Fees - \$4115.71

Loans Approved by SBA (awaiting construction completion to fund)

- The Lodge at Gun Barrel City for the amount of \$2,421,000.00

Loan Prospects

- Manufacturer

Outreach/Training for All Loan Programs During the Quarter:

Outreach

- July 19, 2022: Continue lender visits with SBDC staff in Paris, TX locations. Provided 504 Brochures and Rack Cards with Business Cards
- Set up fall lender visits with SBDC in first quarter FY22 Oct-Dec with SBDC for Sulphur Springs TX area.
- September 12th-13th: Toured our ATCOG Region with EDA representatives and various staff members. We discussed grant and loan programs available or received throughout the area.
- Met with EDC staff in Sulphur Springs, Mt. Pleasant, Tex-Americas Center, DeKalb, and Paris TX locations to tour and discuss active grants and loan sites.
- Attended groundbreaking ceremony for Saddle Brook builders in DeKalb, TX. ATRDC Director provided brochures to interested attendees.
- Social Media Marketing: LinkedIn and Facebook
- Share/Post SBA 504 updates from District and SCORE to social media pages
- Increase outreach by posting through ATCOG Facebook page each time we post on LinkedIn.
- Referrals: 2 banks in our area.
- Follow up continues for referrals we have received. We continue to encourage borrowers to utilize the SBA 504 loan program.

ATRDC Trainings/Meetings:

- 7/20/2022, Texas Association of Regional Councils (TARC) E-Learning Course completed.
- 8/15/2022, Specialist Completed a SCORE webinar on Financial Statement Analysis
- 8/17/2022, All staff completed NADCO webinar on Revised Guidance on Franchise Closing Docs
- September Completed ATCOG Training and enrollment as required annually
- 9/20/2022 All staff participated in the 504 Connect Call
- June 29th -September 28th, Economic Development Director attended all SBA Director Training sessions
- September 27th -28th, Director Attended TARC biannual meeting in Austin
- Staff reviewed various vendors for 504 services over the last quarter.

Correspondence with loan borrowers:

- Specialist emailed all SBA 504 Loan borrowers requesting updated annual documents
- Specialist emailed all SBA 504 and RLF Loan borrowers concerning related Texas State Grant program information for small businesses that were hard hit by COVID.

Meetings with prospects:

- Call with meat processing facility in Paris, TX area regarding loan programs available.
- Met with SBDC as well as prospect.
- Met with RLF borrowers to gather information to prepare for loan closing as well as to conduct environmental visits.
- Visit to possible 504 site. The borrower wanted working capital and went with conventional funding.
- Call with Car Wash prospect. Worked on his application for 504; however, he determined that the location he chose would be better served by a 7a loan.

Outcomes

- Two applicants began working on 504 loan applications with us; however, one ultimately went with a 7a loan and the other went with conventional funding.

Environmental Program Quarterly Report

- Illegal Dumping Surveillance Camera Loan Program – 12 camera systems and 45 “No Dumping” signs have been loaned out within Bowie County and are deployed in the cities of Nash, DeKalb, Simms, and in rural areas of the county. 6 Camera systems have also been loaned out to Morris County to be placed along rural county roads. Additionally, 12 “No Dumping” signs have been delivered to the City of Mount Pleasant. ATCOG currently has 6 camera systems and 28 signs available to loan out for illegal dumping enforcement.
- FY22 Solid Waste Grant Funds, in the amount of \$20,000.00, has been paid to Texas State University’s Office for Government Innovation to fulfill ATCOG’s contractual obligation for updating the 20-Year Regional Solid Waste Management Plan. This plan has been submitted to TCEQ and is currently under review for approval. FY23 Solid Waste Grant funds in the amount of \$40,500.00 are available for counties within the ATCOG region to conduct Illegal Dumping Cleanup/Community Collection Events. The funds have been allocated equally among each county and must be expended by August 31, 2023.
- FY 22 Water Quality Grant Funds, in the amount of \$13,475.00, are being utilized to conduct non-point source pollution activities within the ATCOG region. Activities include: Providing educational materials to the public relating to water pollution and conservation practices, composting and gardening techniques, proper lawn care methods, and pet waste disposal. Compost bins have been provided to local Master Gardener Associations within the region to help promote the utilization of natural fertilizers, and over 2,000 disposable nitrile gloves have been distributed to local volunteer water quality monitors associated with the Texas Stream Team. These volunteers monitor the condition of local waterbodies, including creeks, rivers, and lakes on a weekly basis, utilizing chemical test kits and electronic meters. The results are provided to Meadows Center for Water and the Environment at Texas State University, to be compiled and presented to TCEQ on an annual basis. FY23 Water Quality Grant Funds in the amount of \$19,695.00 are being utilized throughout the ATCOG region for the same purposes.
- ATCOG has joined the Texarkana Brownfields Regional Environmental Coalition (TBREC), which submitted an application to the Environmental Protection Agency for a Hazardous Substances and Petroleum Assessment Grant in the amount of \$500,000.00 to be utilized at various sites located within Bowie County, Texas, and Miller County, Arkansas. Coalition members include ATCOG, TexAmericas Center, the City of Texarkana, AR, and the applicant, the City of Texarkana, TX. This funding will help boost redevelopment activities at key locations which are currently underutilized due to perceived or actual environmental contamination. The TBREC coalition was invited to conduct a presentation at the EPA Brownfields National Conference in August of 2022. ATCOG staff member, Toni Lindsey, attended the conference and conducted a presentation.
- ATCOG is administering the Region 2 Lower Red-Sulphur-Cypress Regional Flood Planning Group grant program funded by the Texas Water Development Board. Funding, in the amount of 910,400.00, is being utilized to develop a flood plan in a region comprised of 20 counties located in northeast Texas. An additional \$576,600.00 in funding has been allocated to Region 2 by the TWDB to enhance the flood plan. The Technical Memorandum has been developed and was submitted to the TWDB in March 2022, and the Draft Region 2 Flood Plan was submitted to TWDB on August 1, 2022. The completed plan is due to the TWDB in January of 2023 and is required to be updated every 5 years.

FY2022 JAG Projects						
Grantee	Project Title	Grant Num	Grant Status	Current Award	Expended	Project Period
Cass County	In-Car Video Camera	4225001	Grant-Closed	\$27,400.00	\$27,400.00	10/1/2021-9/30/2022
City of Clarksville	Less than Lethal Equipment	4250001	Grant-Closed	\$12,598.45	\$12,598.45	10/1/2021-9/30/2022
City of Daingerfield	P-25 Compliant Radios Project	4206601	Grant-Closed	\$14,515.00	\$14,515.00	10/1/2021-9/30/2022
City of Hooks	Handheld Portable Radio Project	4285601	Grant-Pending Close Out	\$22,596.77	\$22,596.77	10/1/2021-9/30/2022
City of Mt. Vernon	Speeders	4220801	Grant-Closed	\$11,163.54	\$11,163.54	10/1/2021-9/30/2022
City of Naples	Work Stations	4249401	Grant-Active (Fund Hold) (Vendor	\$12,957.62	\$0.00	10/1/2021-9/30/2022
City of Paris	VHF Radio	4268001	Grant-Pending Close Out	\$11,475.00	\$11,475.00	10/1/2021-9/30/2022
Franklin County	Mobile Radios	4318201	Grant-Pending Close Out	\$24,500.00	\$24,500.00	10/1/2021-9/30/2022
Red River County	Vehicle Equipment Upgrade	4287901	Grant-Active	\$16,362.05	\$15,526.40	10/1/2021-9/30/2022

FY2022 VOCA Projects						
Grantee	Project Title	Grant Num	Grant Status	Current Award	Expended	Project Period
Domestic Violence Prevention, Inc.	Comprehensive Victim Restoration Program	2907005	Grant-Active	\$361,773.82	\$340,010.73	10/1/2021-9/30/2022
SAFE-T	Children & Youth Services/Domestic Violence, Sexual Assault, and Transitional Housing	2453108	Grant - Active (Blind Hold)	\$827,980.46	\$225,580.02	10/1/2021-9/30/2022

FY2022 VAWA Projects						
Grantee	Project Title	Grant Num	Grant Status	Current Award	Expended	Project Period
Mount Pleasant, City of (Police Dept.)	Violence Against Women Investigator	3631604	Grant - Pending Close Out (Vendor Hold)	\$24,202.32	\$24,202.32	10/1/2021-9/30/2022
Red River County (Sheriff's Office)	SA/FV Investigations Program	3953202	Grant - Pending Close Out	\$29,582.16	\$29,582.16	10/1/2021-9/30/2022

FY2022 Juvenile Justice Projects						
Grantee	Project Title	Grant Num	Grant Status	Current Award	Expended	Project Period
Ark-Tex Council of Governments	Purchase of Juvenile Services	1426623	Grant - Pending Close Out	\$35,460.73	\$35,460.73	10/1/2021-9/30/2022

FY2022 Truancy Prevention Projects						
Grantee	Project Title	Grant Num	Grant Status	Current Award	Expended	Project Period
Bowie County	Truancy Prevention and Intervention Program	3583204	Grant-Active	\$49,883.69	\$49,883.69	10/1/2021-9/30/2022
Morris County	Truancy Prevention Program	4267801	Grant - Pending Close Out	\$51,197.38	\$51,197.38	10/1/2021-9/30/2022

FY2022 Purchase of Juvenile Justice Services Grant / ATCOG Contract with Counties (\$35,519.08 Total for 1-YR Grant)

County	Scope of Services	Expended Amount	Juveniles Served with Contracted Amount	Start Date	End Date
Bowie County	Juvenile Mental Health Services	\$8,231.00	12	9/1/2021	8/31/2022
Cass County	Juvenile Mental Health Services	\$3,611.00	2	9/1/2021	8/31/2022
Hopkins County (also covers Delta, Franklin)	Juvenile Mental Health Services	\$4,180.00	16	9/1/2021	8/31/2022
Lamar County	Juvenile Mental Health Services	\$3,740.00	10	9/1/2021	8/31/2022
Red River County	Juvenile Mental Health Services	\$2,511.00	18	9/1/2021	8/31/2022
Titus County (also covers Morris)	Juvenile Mental Health Services	\$500.00	2	9/1/2021	8/31/2022
	TOTAL	\$22,773.00	60		

FY2022/2023 Regional Law Enforcement Training Grant (\$154,267 Total for 2-Year Grant - FY22 & FY23)	
FY22/23 Total # Students to Attend Law Enforcement Training (Provided w/ ATCOG Grant Funds or Free Through ATCOG Coordination With Certain Training Providers)	373
FY22/23 Courses Held (Provided w/ ATCOG Grant Funds or Free Through ATCOG Coordination With Certain Training Providers)	58

FY2021/2023 Coronavirus Emergency Supplemental Funding Program Grant (\$50,973.80 Total for 2-Year Grant)	
FY21/22 Total Amount of PPE/Supplies Funds Expended (Supplies Delivered to the Counties that Requested)	\$23,028.36
FY22/23 Total Amount of Supplies/Funds <u>to be Expended</u> (ATCOG supplies to prevent, prepare & respond to COVID)	\$14,538.23
FY21/23 Total Amount of Grant Funds Expended to date	\$29,463.38

**Ark-Tex Area Agency on Aging Quarterly Report
July 2022 – September 2022**

<i>Bowie County</i>	<i>Quarter</i>	<i>FY2022 Total</i>
Transportation	1,330 (\$8,751.40)	4,745 (\$31,222.10)
Home Delivered Meals	6,125 (\$32,523.75)	25,827 (\$137,141.37)
Congregate Meals	3,141 (\$22,803.66)	12,920 (\$93,376.05)
 <i>Cass County</i>		
Transportation	1,061 (\$6,981.38)	3,616 (\$23,793.28)
Home Delivered Meals	1,923 (\$10,211.13)	8,783 (\$46,637.73)
Congregate Meals (Grab & Go)	2,009 (\$14,585.34)	7,550 (\$54,813.00)
 <i>Delta County</i>		
Transportation	2 (\$13.16)	34 (\$223.73)
Home Delivered Meals	2,472 (\$13,126.32)	9,532 (\$50,614.92)
Congregate Meals (Grab & Go)	214 (\$1,500.14)	1,877 (\$13,157.77)
 <i>Franklin County</i>		
Transportation	120 (\$789.60)	365 (\$2,401.70)
Home Delivered Meals	147 (\$780.57)	976 (\$5,182.56)
Congregate Meals	-	-
 <i>Hopkins County</i>		
Transportation	1,153 (\$7,586.74)	3,684 (\$24,240.72)
Home Delivered Meals	3,070 (\$16,301.70)	10,130 (\$53,790.30)
Congregate Meals	-	-
 <i>Lamar County</i>		
Transportation	87 (\$572.46)	557 (\$3,665.06)
Home Delivered Meals	13,278 (\$70,506.18)	47,190 (\$250,578.90)
Congregate Meals (Grab & Go)	247 (\$1,731.47)	1,270 (\$8,902.70)
 <i>Morris County</i>		
Transportation	451 (\$2,967.58)	1,317 (\$8,665.86)
Home Delivered Meals	2,134 (\$11,331.54)	7,234 (\$38,412.54)
Congregate Meals	168 (\$1,219.68)	954 (\$6,926.04)
 <i>Red River County</i>		
Transportation	132 (\$868.56)	635 (\$4,375.70)
Home Delivered Meals	3,720 (\$19,753.20)	14,280 (\$75,826.80)
Congregate Meals (Grab & Go)	431 (\$3,021.31)	1,585 (\$10,524.35)
 <i>Titus County</i>		
Transportation	847 (\$5,573.26)	3,213 (\$21,141.54)
Home Delivered Meals	1,767 (\$9,382.77)	5,024 (\$26,677.44)
Congregate Meals (Grab & Go)	762 (\$5,532.12)	3,522 (\$25,569.72)
<hr/>		
TOTALS		
<i>Transportation</i>	<i>5,183 (\$34,104.14)</i>	<i>18,196 (\$119,729.68)</i>
<i>Home Delivered Meals</i>	<i>34,636 (\$183,917.16)</i>	<i>130,743 (\$694,245.33)</i>
<i>Congregate Meals (Some Grab & Go)</i>	<i>6,972 (\$50,393.72)</i>	<i>29,678 (\$213,269.63)</i>

**Ark-Tex Area Agency on Aging Quarterly Report
July 2022 – September 2022**

<i>Other Services</i>	<i>Quarter</i>	<i>FY2022 Total</i>
Homemaker (Estimated)	1,395/hrs (\$22,668.75)	57.55.58/hrs (\$91,919.58)
Respite In Home (Estimated)	935/hrs (\$15,072.20)	3,718/hrs (\$59,664.83)
Evidence-Based Intervention (HomeMeds, Tai Ji Quan, A Matter of Balance)	376	1,540

Notice of Funding Allocation for FY2022: \$3,607.024.00

Grants Awarded:

Arkansas Community Foundation Provides transportation for Veterans	\$1,500
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Training for the Fiscal Year 2022

Aging in Place Specialist	Andrea Atkins, AAA Case Manager
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Alliance of Information and Referral System (AIRS) Certification	Angela Glass, Benefits Counselor II
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9-1-1 Program Stats

Class of Service

ATCOG Training Center

Atlanta PD

Bi State Justice Center

Cass CO SO

Delta CO SO

(8 more PSAPs selected)

Year: 2022

Report Date: 09/02/2022 14:10:26

Report Date From: 06/01/2022

Report Date To: 08/31/2022

Period Group: All

Call Type: 911 Calls

Abandoned Filters: Include Abandoned

Agency Affiliation: All

	BUSN	CNTX	COIN	No Class of Service	OTHER	PAYP	PBX	RESD	TLMA	Unparsed 911	TEXT	WPH0	WPH1	WPH2	Total
ATCOG Training Center	50	0	0	59	0	0	1	21	0	0	2	0	93	264	490
Atlanta PD	83	0	0	33	0	0	0	63	0	0	60	2	227	1123	1591
Bi State Justice Center	1131	69	0	608	0	0	0	2991	0	0	295	17	8036	13908	27055
Cass CO SO	131	8	0	30	0	0	1	267	0	0	85	3	374	1619	2518
Delta CO SO	10	0	0	67	0	0	0	47	0	0	28	1	163	482	798
Franklin CO SO	31	0	0	24	0	0	1	36	0	0	11	1	186	986	1276
Hopkins CO SO	114	0	0	38	0	0	3	119	0	0	89	3	395	2111	2872
Morris CO SO	97	2	0	32	0	0	1	293	0	0	120	2	232	1582	2361
Mt Pleasant PD	246	0	0	63	0	0	0	113	0	0	46	1	608	3165	4242
New Boston PD	39	0	0	36	0	0	0	84	0	0	83	1	137	657	1037
Paris PD	144	0	0	61	0	0	166	200	0	0	107	3	2498	3302	6481
Red River County Sheriffs Office	278	6	0	9	0	0	1	374	0	0	55	1	394	1058	2176
Sulphur Springs PD	290	1	0	59	0	0	2	27	0	0	79	3	287	2028	2776
Total	2644	86	0	1119	0	0	176	4635	0	0	1060	38	13630	32285	55673

Wireless Calls = 45,953

Total Calls = 55,673

Quarterly Report July-Aug-Sep 2022

RURAL TEXARKANA

PROGRAM	22-Jul	22-Aug	22-Sep
TRIP	1,869.00	2,095.00	2,016.00
GROSS MILES	29,716.00	33,905.00	36,917.00
REVENUE MILES	23,354.00	27,233.00	29,700.00
GROSS TIME	1,717.25	2,183.98	2,070.00
REVENUE TIME	1,065.10	1,286.02	1,313.88
COUNTY TRIPS			
BOWIE	797.00	906.00	874.00
CASS	818.00	888.00	844.00
MORRIS	254.00	301.00	298.00
AAA	968	1013	1017

RURAL MT PLEASANT

PROGRAM	22-Jul	22-Aug	22-Sep
TRIP	917.00	1,273.00	1,155.00
GROSS MILES	12,258.00	12,210.00	11,306.00
REVENUE MILES	8,956.00	9,655.00	9,542.00
GROSS TIME	779.53	822.00	754.97
REVENUE TIME	600.15	663.30	618.93
COUNTY TRIPS			
TITUS	782.00	1,059.00	960.00
FRANKLIN	135.00	214.00	195.00
AAA	324	405	363

RURAL SULPHUR SPRINGS

PROGRAM	22-Jul	22-Aug	22-Sep
TRIP	839.00	1,054.00	1,032.00
GROSS MILES	11,410.00	10,055.00	9,678.00
REVENUE MILES	8,735.00	8,276.00	7,453.00
GROSS TIME	685.33	756.96	594.30
REVENUE TIME	511.43	632.02	455.20
COUNTY TRIPS			
HOPKINS	802.00	993.00	978.00
FRANKLIN	38.00	61.00	54.00
AAA	321	434	420

RURAL PARIS

PROGRAM	22-Jul	22-Aug	22-Sep
TRIP	611.00	828.00	1,014.00
GROSS MILES	10,966.00	10,595.00	8,946.00
REVENUE MILES	8,723.00	9,290.00	7,209.00
GROSS TIME	510.15	693.60	612.43
REVENUE TIME	466.30	577.38	507.77
COUNTY TRIPS			
LAMAR	539.00	741.00	609.00
DELTA	0.00	4.00	0.00
RED RIVER	72.00	83.00	58.00
AAA	83	96	73
Paratransit	368.00	427.00	347.00

PARIS METRO SERVICE

PROGRAM	22-Jul	22-Aug	22-Sep
TRIP	2,464.00	2,943.00	3,076.00
Rev Miles	8,402.00	9,730.00	9,230.00
AAA	750	845	784

MONTHLY TOTALS

Total Trips made	6,700.00	8,193.00	8,293.00
Total revenue miles driven	49,946.43	36,951.00	53,904.00
Total revenue hours	2,642.98	3,158.72	2,440.58

BRIEFING PAPER

ITEM 6:

Review and consider approval of a one-year extension to the agreement with Pattillo, Brown & Hill, LLP to provide auditing services from October 1, 2022, through September 30, 2023.

BACKGROUND:

On August 3, 2020, Ark-Tex Council of Governments (ATCOG) requested proposals for auditing services to begin October 1, 2020, and extend through September 30, 2021, with four possible one-year extensions, if approved by the ATCOG Board of Directors. The RFP was issued because the terms of the agreements with the current auditing service provider lapsed on September 30, 2020.

DISCUSSION:

Pattillo, Brown, & Hill's proposal was selected for recommendation to the Board based on the overall cost-effectiveness and relevant experience with similar agencies. ATCOG feels that Pattillo, Brown & Hill has provided all the requested services to our satisfaction for the current year.

Therefore, ATCOG is requesting that a one-year extension be approved for Pattillo, Brown & Hill to provide auditing services for the next fiscal year, October 1, 2022 – September 30, 2023.

RECOMMENDATION:

Staff recommends approval.

RESOLUTION NO. ABD23-01

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS (ATCOG) EXECUTIVE COMMITTEE APPROVING A ONE-YEAR EXTENSION TO THE AGREEMENT WITH PATTILLO, BROWN & HILL TO PROVIDE AUDITING SERVICES FROM OCTOBER 1, 2022, AND EXTENDING THROUGH SEPTEMBER 30, 2023.

WHEREAS, ATCOG issued a Request for Proposal (RFP) for auditing services on August 3, 2020; and

WHEREAS, ATCOG requested proposals for auditing services to begin October 1, 2020, and extend through September 30, 2021, with four possible one-year extensions if approved by the ATCOG Board of Directors; and

WHEREAS, Pattillo, Brown & Hill responded to our RFP by the deadline of August 28, 2020, with a proposal that met all the required criteria; and

WHEREAS, the proposal by Pattillo, Brown & Hill received the highest score of the proposals submitted and was selected for recommendation to the Board of Directors; and

WHEREAS, ATCOG feels that Pattillo, Brown & Hill has provided all the requested services to our satisfaction.

NOW, THEREFORE, BE IT RESOLVED BY THE ARK-TEX COUNCIL OF GOVERNMENTS:

- Section 1 - That the Executive Committee approves the one-year extension to the agreement with Pattillo, Brown & Hill to provide auditing services from October 1, 2022, and extending through September 30, 2023.
- Section 2 - That the Executive Director, Chris Brown, has full authority to act on behalf of the ATCOG Board in all matters pertaining to auditing services with Pattillo, Brown & Hill.
- Section 3 - That this resolution is approved by majority vote in accordance with the bylaws of Ark-Tex Council of Governments and applicable law, and shall be in effect immediately upon its adoption.

REVIEWED AND APPROVED THIS 8TH DAY OF DECEMBER, 2022.

ATTEST:

L. D. Williamson, President
Board of Directors
Ark-Tex Council of Governments

BRIEFING PAPER

ITEM 7:

Review and consider approval of revisions to the Ark-Tex Council of Governments (ATCOG) Policies and Procedures Manual.

BACKGROUND

The Board of Directors is required to approve all revisions to the Policies and Procedures Manual. All proposed revisions are attached.

DISCUSSION

The following revisions to the **policy and procedures manual** are being proposed:

7.04 Retirement Plan. This revision includes the updated retirement match rate of 200% as approved by the Board of Directors in September.

10.14 Lactation Accommodation. This addition explains lactation accommodations that will be provided to employees in accordance with Section 7 of the Fair Labor Standards Act.

17.00 Travel and Subsistence. These revisions clarify procedures relating to commercial airfare and to per diem exceptions as allowed under 41 CFR Part 301-11 Subpart D Per Diem Expenses.

Attachment C - ATCOG Records Management. This policy was previously a standalone policy but will now be included as an attachment to the ATCOG Policy and Procedures Manual, so it is more accessible to employees.

If approved by the Board, the policy revisions will be distributed to all employees and added to our Policies and Procedures Manual.

RECOMMENDATION

Staff recommends approval.

7.04 RETIREMENT PLAN

1. **ATCOG RETIREMENT PLAN.** Effective January 1, 2017, ATCOG participates in the Texas County & District Retirement System (TCDRS) for the benefit of all regular full-time employees and regular part-time employees. Employees contribute 4% of their salary into their retirement fund each payday on a pre-taxed basis, and ATCOG matches employee contributions at ~~150%~~200%, or an additional ~~6%~~ 8% each payday. Employees become 100% vested after 8 years of employment and are eligible for retirement benefits at age 60, if vested. In addition, the Retirement Plan Trustees Committee and the Board of Directors have approved adoption of the rule of 75 for retirement eligibility (total of your age plus years of service) and/or 30 years of service regardless of age. Employee retirement accounts will earn 7% compounded interest yearly.

If an employee ceases employment prior to 8 years of service, regardless of reason, he/she then becomes eligible to withdraw the funds the employee has contributed, minus taxes and/or IRS penalties, if applicable. No matching ATCOG funds are available to that employee since vesting has not been achieved. Employees that attain retirement eligibility will receive a monthly, defined retirement amount based on the dollars that are in their respective retirement account. No partial lump-sums are payable at retirement and no in-service withdrawals can be made.

The plan Participation Agreement is available for inspection in the Human Resources Office.

10.14 LACTATION ACCOMODATION (New addition to policy manual)

It is the policy of ATCOG to provide a room or other private location for employees who wish to express breast milk. Lactation accommodations will be provided to employees in accordance with Section 7 of the Fair Labor Standards Act. In addition, ATCOG will provide a reasonable amount of break time to accommodate employees desiring to express breast milk.

1. Breaks
 - a. A reasonable amount of break time must be provided to employees who want to express breast milk.
 - b. If possible, the break time should coincide with the employee's paid break time.
2. Space
 - a. ATCOG will make a reasonable effort to provide employees with a room or other locations in which to express milk. This space must not be a bathroom and should be private and in close proximity to the employee's work area.
 - b. Ideally, the space will have a door that locks. If this is not possible, a room can be made private by placing a message on the door that the room is in use, drawing blinds or curtains, covering windows without curtains, or setting up a portable partition. The space should be clean and comfortable, equipped with an electrical outlet, and contain comfortable seating and a table or other flat surface to hold a breast pump. It should also be located near a sink with running water for hand washing and cleaning of equipment.

- c. For non-traditional worksites, the department and supervisor will work with the employee to create a mutually acceptable solution. This may include a flexible schedule to allow the employee to return to the office for such activity.
- 3. Storage
 - a. A hygienic and secure location will be available for employees to store expressed milk.
- 4. Atmosphere of Acceptance
 - a. Breastfeeding should not constitute a source of discrimination in employment or in access to employment. It is prohibited under this policy to harass a breastfeeding employee or exercise any conduct that creates an intimidating, hostile or offensive working environment. Any incident of harassment of a breastfeeding employee will be addressed in accordance with Ark-Tex Council of Governments policies and procedures for discrimination and harassment.

17.00 TRAVEL AND SUBSISTENCE

17.01 GENERAL

ATCOG will reimburse employees for necessary, reasonable and documented travel expenses incurred while performing their duties or while on official ATCOG business that complies with approved procedures. **Note: Wherever this policy states receipts are required for reimbursement, meals are always excluded.**

1. Employees shall be entitled to transportation, accommodations, and other services which are reasonable and necessary and meet adequate quality standards for convenience, safety, and comfort. Travelers shall, whenever possible, use the most economical accommodations and mode of transportation which meet reasonable requirements. Employees engaged in necessary and authorized travel to conduct ATCOG business will be reimbursed for allowable costs and documented expenses necessary to conduct the business of ATCOG. Reimbursable expenses generally will be for transportation, lodging, parking, tolls, and taxi, and meals if an overnight stay is required. Original receipts, or a certification of expense explaining why a receipt was not available, must accompany any request for reimbursement.
2. Expenses which are not allowed under the terms of grants, contracts, or agreements ATCOG has made with other agencies will not be reimbursed. Exceptions, as allowed under 41 CFR Part 301-11 Subpart D Per Diem Expenses, may require Executive Director approval and use of local funds. Employees must complete the Lodging Rate Exception Request form when submitting a travel request to utilize a lodging rate that exceeds the GSA maximum amount.
3. Where travel expenses exceed state or federal grant or contract limitations, the respective agency and, thus, ATCOG will only reimburse to specific limits or may deny payment entirely to employees who have received a written warning within a 6 month period for failure to submit travel expense vouchers on a timely basis, or employees who file for travel reimbursement after a program has been closed out.
4. ATCOG reserves the right to audit, review, investigate, or otherwise scrutinize any questionable request for travel reimbursement and delay or deny payments of same if such request is suspected or shown to contain fraudulent information, mathematical errors, or is not in conformance with reimbursement policies and procedures.
5. Coordination of travel must occur when two or more employees are traveling on the same dates with the same itinerary to conduct ATCOG business in a personally owned or leased motor vehicle. Mileage to meet or pick up other employees may be reimbursable.

17.02 DAY TRAVEL

1. Day travel will be by rental vehicle or personal vehicle, whichever option is most economical and feasible.
2. When traveling by personal vehicle, mileage will be reimbursed at a rate up to the Internal Revenue rate for the average per mile cost of operation, unless otherwise specifically mandated by contract or funding agency. Any exception will be on a case-by-case basis and must be preapproved by the Executive Director. ATCOG **will not** reimburse for meal

expenses unless an overnight stay is required. When the most economical option is traveling by rental vehicle but the traveler chooses to travel by personal vehicle, the traveler will be reimbursed the actual cost of a rental vehicle on the ATCOG rental account. In this situation, the traveler will be reimbursed for fuel expenses at a standard sized car's average fuel economy rate of 25 miles per gallon at the price per gallon listed on the receipts supplied by traveler. To calculate, use the following formula:

$$\frac{\text{total miles traveled} \times \text{price per gallon}}{25 \text{ miles per gallon}} = \text{fuel reimbursement amount}$$

3. When traveling by rental vehicle, the rental vehicle should be procured through an ATCOG rental account unless a vehicle is not available or a lower rate is available elsewhere. Fuel will be reimbursed at actual cost shown on the receipts supplied by the traveler.
4. Travel between an employee's residence and ATCOG office (or place where employee normally offices) is not eligible for reimbursement. However, an employee who leaves his residence en route to another point, not his usual or customary reporting point or office, shall be reimbursed mileage for the lesser of either distance from the employee's residence to point of destination or from normal office or work site to point of destination.
5. When two or more employees travel in a single vehicle, only the employee whose vehicle is being utilized will receive mileage reimbursements.
6. Employees may request and, if approved, receive an advance for day travel. See Section 17.08, TRAVEL ADVANCES.

17.03 DAY TRAVEL EXPENSE REPORT

Employees will document all day travel expenses by completing the Day Travel Expense Report at the conclusion of each trip in accordance with the following procedures. Reimbursement of travel expenses must be approved by the appropriate Manager or Director and the Executive Director.

1. Any travel completed in one day does not require prior approval other than from the immediate supervisor/manager or director. However, supervising personnel may require the preparation of monthly itineraries in order to monitor travel for necessity, efficient scheduling, and cost. (If overnight travel is required, please refer to Section 17.04 for instructions.)
2. Employees will submit a completed Day Travel Expense Report form to the Finance Office a minimum of once each month for reimbursement of known travel expenses. The green Day Travel Expense Report form is to be used to document the travel and for reimbursement of Day travel expenses, except those involving cash advances, and should be completed as follows:
 - a. Complete Name and Address, Period Covered by this Report, and Destination and Purpose sections;
 - b. List Expenses in the Expenses section (see 17.06 Travel Expense Provisions) and complete the No. and Rate columns for all applicable expenses including those

- directly billed to ATCOG (e.g. rental vehicle or fuel). The Cost column amounts, Direct Bill amounts, and Reimburse amounts calculate automatically;
- c. For travel by personal vehicle, mileage reimbursement can be calculated using: (1) the Google electronic search engine, or (2) Odometer readings on a Point-to-Point basis. Complete the sections on the back page: Date, Miles, Odometer (point-to-point odometer readings or reference Google Maps) and Destination. The Miles column on the back page will calculate automatically once the odometer readings are entered. If using Google Maps mileage, enter the number of miles from point-to-point in the Miles column on the back page. Enter the total miles on the front page in the No. column;
 - d. For travel by rental vehicle, mileage will not be reimbursed. Complete the sections on the back page: Date, Miles, Odometer reading of rental car (point-to-point odometer readings or reference Google Maps) and Destination. List the total amount of fuel used for the rental vehicle on the front page.
 - e. The total of all actual expenses in the Cost column will calculate automatically;
 - f. Enter project codes to which expenses are to be charged and the amount or percentage to be charged to each project;
 - g. Print and sign the form and attach all necessary documentation and receipts;
 - h. Traveler's Manager or Director shall review and sign the form;
 - i. Subsequent to Manager or Director approval, submit the form and documentation to the Executive Director for final approval. The Executive Director will then submit the form and documentation to finance for payment.

17.04 OVERNIGHT TRAVEL

ATCOG will reimburse employees who travel overnight for reasonable and necessary expenses allowable in accordance with this policy.

1. All overnight travel must be pre-approved utilizing an Overnight Travel Expense Form regardless whether a cash advance is requested or not. (See 14.05 Overnight Expense Reports)
2. Overnight travel may be by either private or commercial transportation; however, the mode will be at the discretion of the appropriate Manager or Director and should be the most economical and feasible option.
3. Commercial air transportation will be ~~reimbursed based on the most economical fares available~~ approved on an individual basis by the Executive Director. Consideration will be based on available travel times, flight times, and the most economical fares available that allow for flight change or credit without fees (generally one of the lowest two fare options). Air travel should be booked between 3 weeks and 3 months prior to the trip.
4. Overnight travel by personal vehicle will be reimbursed at the lesser of actual mileage at current ATCOG mileage rate or the actual cost of airfare or rental vehicle at the most economical fares available. When two or more employees travel in a single vehicle, only the employee whose vehicle is being utilized will receive mileage reimbursements. When the most economical option is traveling by rental vehicle but the traveler chooses to travel by personal vehicle, the traveler will be reimbursed the actual cost of a rental vehicle on the ATCOG rental account. In this situation, the traveler will be reimbursed for fuel expenses at a standard sized car average fuel economy rate of 25 miles per gallon at the

price per gallon listed on the receipts supplied by traveler. To calculate, use the following formula:

$$\frac{\text{total miles traveled} \times \text{price per gallon}}{25 \text{ miles per gallon}} = \text{fuel reimbursement amount}$$

5. Commercial bus/train transportation will be reimbursed based on the lesser of the actual bus/train fare, actual mileage at current ATCOG mileage rates, or the most economical fares available.
6. Vehicle rental in conjunction with commercial air transportation must be approved in advance of scheduled travel date and will be reimbursed on an actual cost basis.
7. Vehicle rental, when used as the primary means of transportation, shall be approved in advance and will be reimbursed at the lesser of actual rental cost, actual mileage at current ATCOG mileage rates, or the cost of airfare at the most economical fare available. The rental vehicle should be procured through an ATCOG rental account unless a vehicle is not available or a lower rate is available elsewhere.
8. Lodging reservations should correlate to meeting/training schedules. Employees should not reserve an additional hotel night if the employee can arrive home safely by 9pm including stops for meals and fuel (i.e. Meeting is 3 hours from home and concludes at 5pm. Meeting is 6 hours from home and concludes at 2pm.). When possible, employees should adjust their work schedules so as not to exceed 40 hours worked in a seven-day workweek. Work schedule adjustments must be approved by the supervisor. The Executive Director may approve exceptions on a case by case basis.

17.05 OVERNIGHT TRAVEL EXPENSE REPORTS

1. Overnight travel must be pre-approved by completing an Overnight Travel Expense Report form. An Overnight Travel Expense Report form must be submitted regardless whether or not a cash advance is requested.
2. The traveling employee must submit an Overnight Travel Expense Report form documenting actual expenses as soon as possible once travel is complete. Failure to do so will result in the employee not being reimbursed for his or her expenses.
3. Before travel, complete the Overnight Travel Expense Report form as follows (Note: This is a two-part process and will result in two forms being submitted to finance.):
 - a. Complete Name, Address, Destination, Purpose and Travel Dates sections;
 - b. List the project(s) to which expenses are to be charged and include the expense amounts or percentages;
 - c. List Expenses in the Advance section (see 17.06 Travel Expense Provisions):
 - i. Complete the No. and Rate columns for all applicable expenses including those directly billed to ATCOG (registration, air fare, rental vehicle). The Estimated Cost column amounts and total estimated expenses amounts calculate automatically;
 - ii. If any expenses will be charged separately to the ATCOG credit card (e.g. hotel, air fare) or an ATCOG account (rental vehicle account), note the

- amount(s) in the Direct Bill column. The total direct bill amount calculates automatically;
 - iii. If an advance is being requested, note the requested amount(s) in the Advance column. The total advance amount calculates automatically;
 - d. Use the Remarks section to explain exceptions requests prior to travel (e.g. if host hotel rate exceeds the GSA rate);
 - e. Save the form electronically in order to complete the Reimbursement section upon return from travel.
 - f. Print and sign the form and attach all necessary documentation including an agenda and hotel, air fare, and/or rental vehicle reservations;
 - g. Traveler's Manager or Director shall review and sign the form;
 - h. Subsequent to Manager or Director approval, submit the form and documentation to the Purchasing box. Finance staff will review the form for accuracy and confirm available funds before submitting to the Executive Director for final approval. (If an advance is being requested and cannot be run with the regular accounts payable due to short travel notice, verbally advise Finance of this situation when submitting the form);
- 4. Upon completion of travel, the actual expenses shall be reported in the Reimbursement section on the previously saved form as follows:
 - a. Travel dates will be changed only if travel dates were approved to be changed after pre-approval;
 - b. Record actual times of departure and return;
 - c. List actual expenses under the Reimbursement section including direct bill expenses. Amounts in the Actual column will calculate automatically;
 - d. For mileage reimbursement, record odometer readings or indicate that Google Maps was used to calculate mileage in the Remarks section;
 - e. If the total expenses amount exceeds the total of the direct bill and advance amounts combined, then the total due is the amount due the employee by ATCOG;
 - f. If the total expenses amount is less than the total of the direct bill and advance amounts combined, then the total due is the amount due ATCOG by the employee and a check for that amount shall be attached to the Overnight Travel Expense Report form;
 - g. Print and sign the completed form and attach all necessary documentation including receipts;
 - h. Traveler's Manager or Director shall review and sign the form;
 - i. Subsequent to Manager or Director approval, submit the form and attachments/receipts to the Purchasing Box. Finance staff will review the form for accuracy and confirm available funds before submitting to the Executive Director for final approval.

17.06 TRAVEL EXPENSE PROVISIONS

1. **Personal Vehicle:** Use of personal vehicles for ATCOG-related travel shall be reimbursed for mileage, tolls and parking expenses. Mileage will be reimbursed at a rate up to the Internal Revenue rate for the average per mile cost of operation, unless otherwise specifically mandated by contract or funding agency.

2. **Commercial Transportation:** Employees will purchase their own airline/bus/train tickets using their own funds, funds received in a cash advance, or by charging to the ATCOG credit card. The used ticket must be attached to the Overnight Travel Expense Report.
3. **Lodging:** Lodging expenses (room rate plus non-exempt tax) will be reimbursed based upon federal travel regulations as adopted by the State of Texas and upon approved travel departure/return schedules. Actual receipts for lodging must be attached to the Overnight Travel Expense Report. Taxes are not included in the maximum lodging allowance, but they must be notated on the expense report as "Hotel Taxes." When no city or county is listed in the Federal GSA, the maximum allowable daily reimbursement for lodging will be as published in the annual GSA update. Exceptions, as allowed under 41 CFR Part 301-11 Subpart D Per Diem Expenses, may require Executive Director approval and use of local funds. Employees must complete the Lodging Rate Exception Request form when submitting a travel request to utilize a lodging rate that exceeds the GSA maximum amount as noted in Section 17.02 of this policy. Lodging reservations should be made with the vendor directly rather than third party travel agencies.
4. **Incidental Travel Costs:** Expenses for taxis, other ground transportation, approved registration fees, reception tickets (staff and members only), and other required meeting expenses which are properly documented, will be reimbursed at actual cost. When traveling by air, ATCOG will reimburse for one checked bag at regular weight [if you check more than one bag or your one bag is overweight, you will be responsible for the additional charge(s)]. A receipt is required for reimbursement for your one checked bag. Other expenses, when itemized and properly documented and approved in advance by the Executive Director, will be reimbursed at actual cost. When traveling on official business, toll expenses are reimbursable without a receipt.
5. **Meal Allowances:** Use federal rates provided by the US General Services Administration (GSA) to determine meal reimbursement. First and last day of travel will be reimbursed at 75% of the maximum allowable daily meal rate per GSA. When no city or county is listed in the GSA, the maximum allowable daily reimbursement for meals will be as published in the annual GSA update. Meal allowance may be reduced to increase lodging allowance. Meal receipts are not required for reimbursement. NOTE: An overnight stay is required for any meal reimbursements.
6. **Mileage Reimbursement:** Mileage will be reimbursed at a rate up to the Internal Revenue rate for the average per mile cost of operation, unless otherwise specifically mandated by contract or funding agency. The amount of mileage reimbursement may not exceed the number of miles traveled; and the applicable mileage rate. There are two methods of calculation: (1) the Google electronic search engine, or (2) Odometer readings on a Point-to-Point basis. The shortest route is presumed to be the most cost-effective. The traveler's statement is required if a longer route is considered to be a reasonably safer route. Mileage while obtaining meals within a duty point is reimbursable, but only if the meal expense is reimbursable. Mileage while obtaining meals outside a duty point is reimbursable only to the boundary of the duty point.
7. **Travel by Rental Vehicle:** Rental vehicles should be procured through an ATCOG account unless a vehicle is not available or a lower rate is available elsewhere. Rental vehicle receipts must be original and complete. A carbon copy of a rental vehicle receipt from the rental company is acceptable. If unavailable and a photocopy of receipt is used,

the supporting documentation must include: (1) the starting and ending dates of the rental; (2) the name of motor vehicle rental company; (3) the name of the renter; and (4) an itemization of the expenses incurred. Reimbursable costs include: (1) applicable taxes and similar mandatory charges; (2) a charge for an additional driver only if the charge is incurred for an official business reason; and (3) a charge for a collision damage waiver or a loss damage waiver unless the waiver is included in the contracted rate for the rental. **Non-Reimbursable** costs include a charge for a liability insurance supplement, personal accident insurance, safe trip insurance, or personal effects insurance.

ATTACHMENT C (previously a standalone policy but adding it as an attachment to the policy and procedures manual)

**ARK-TEX COUNCIL OF GOVERNMENTS (ATCOG)
RECORDS MANAGEMENT**

Policy

ATCOG will provide for efficient, economical, and effective controls over the creation, distribution, organization, maintenance, use and disposition of all ATCOG records through a comprehensive system of integrated procedures for the managements of records from their creation to their ultimate disposition, consistent with the requirements of the Texas Local Government Records Act, accepted records management practice, and relevant federal regulations.

Definitions

1. ATCOG Records: All documents, papers, letter, books, maps, photographs, sound or video recordings, microfilm, magnetic tape, electronic media, or other information recording media, regardless of physical form or characteristic and regardless of whether public access to it is open or restricted under the laws of the state, create or received by ATCOG or any of its officers or employees pursuant to law or in the transaction of public business are hereby declared to be the records of ATCOG and shall be created, maintained and disposed of in accordance with the policies and procedures authorized by it and in no other manner.
2. Program Heads: The highest position in the various programs administered by ATCOG, i.e., division directors, and program/department managers, coordinators or planners.
3. Essential Record: Any record of ATCOG necessary to the resumption or continuation of its operation in an emergency or disaster, to the re-creation of its legal and financial status, or to the protection and fulfillment of obligations to the people of the state.
4. Permanent Record: Any record of ATCOG for which the retention period on a records control schedule is given as permanent.
5. Records Control Schedule: A document prepared by or under the authority of the records management officer listing the records maintained by ATCOG, their retention periods, and other records disposition information that the records management program may require.

6. **Records Management:** The application of management techniques to the creation, use, maintenance, retention, preservation and disposal of records for the purposes of reducing the costs and improving the efficiency of record keeping. The term includes the development of records control schedules, the management of filing and information retrieval systems, the protection of essential and permanent records, the economical and space-effective storage of inactive records, control over the creation and distribution of forms, reports and correspondence, and the management of micrographics and electronic and other records storage systems.
7. **Retention Period:** The minimum time that must pass after the creation, recording, or receipt of a record or the fulfillment of certain actions associated with a record, before it is eligible for destruction.

Records Declared Public Property

All ATCOG records as defined are hereby declared to be the property of ATCOG. No ATCOG official or employee has, by virtue of his/her position, any personal or property right to such records even though he/she may have developed or compiled them. The unauthorized destructions, removal from files or use of such records is prohibited.

Records Management Officer Designation and Duties

The Deputy Director and the successive holders of said position shall serve as the Records Management Officer. As provided by state law, each successive holder of the office shall file his or her name with the Director and Librarian of the Texas State Library within thirty days of the initial designation, or of taking up the position, as applicable.

In addition to other duties identified in these procedures, the Records Management Officer shall:

1. Administer the records management program and provide assistance to management in its implementation;
2. Plan, formulate, and prescribe records disposition policies, systems, standards and procedures;
3. In cooperation with the Executive Director and program heads, identify essential records and establish a disaster plan for each office and department to ensure maximum availability of the records in order to re-establish operations quickly and with minimum disruption and expense;
4. Develop procedures to ensure the permanent preservation of historically valuable records;
5. Establish standards for filing and storage equipment, and for recordkeeping supplies;
6. Study the feasibility of and, if appropriate, establish a uniform filing system and a forms design and control system;
7. Provide records management advice and assistance to all program areas by preparation of a manual(s) of procedure and policy and by on-site consultation;
8. Monitor records retention schedules and administrative rules issued by the Texas State Library and Archives Commission to determine if the records management program and the records control schedules are in compliance with state regulations;

9. Disseminate to the Board of Directors, the Executive Director, and the program heads information concerning state laws and administrative rules relating to local government records;
10. Instruct records liaison officers and other personnel in policies and proceeds of the Records Management Plan and their duties in the records management program;
11. Direct records liaison officers or other personnel in the conduct of records inventories in preparation for the development of records control schedules as required by state law and ATCOG policy;
12. Ensure that the maintenance, preservation, microfilming, destruction or other disposition of ATCOG records is carried out in accordance with the policies and procedures of the records management program and the requirement of state law;
13. Maintain records as follows: records destroyed under approved records control schedules; records microfilmed or stored electronically; and the estimated cost and space savings as the result of such disposal or disposition;
14. Bring to the attention of the Executive Director any agency non-compliance with the policies and procedures of the records management program or the Local Government Records Act.

Duties and Responsibilities of Program Heads

In addition to their duties as assigned in these procedures, the program heads will:

1. Work in a cooperative fashion to a) implement the policies and procedures established for the efficient and economical management of records; and b) carry out their requirements;
2. Adequately document the transaction of government business and the services, programs, and duties for which the program head and his/her staff are responsible; and
3. Maintain the records in his/her care and carry out their preservation, microfilming, destruction, or other disposition only in accordance with the policies and procedures of the ATCOG records management program.

Records Liaison Officers Designation and Duties

The program heads may either serve as records liaison officer(s) or may designate a member or members of their staff to serve as records liaison officer(s) for the implementation of the records management program in the program or department involved. However, all ATCOG staff are responsible for their program records and should be thoroughly familiar with all the records created and maintained by their program.

In addition to other duties assigned in these procedures, records liaison officers shall:

1. Conduct or supervise the process of inventories of the records of their program or department in preparation for the development of records control schedules;
2. In cooperation with the Records Management Officer, coordinate and implement the policies and procedures related to records management in their programs and
3. Disseminate information to all program staff concerning the records management program.

Records Management Plan Development Approval and Authority

The Plan must be designed to enable the Records Management Officer to carry out his/her duties prescribed by state law and policies and procedures effectively.

1. The Plan shall be binding on all offices, divisions, departments, programs, commissions, bureaus, boards, committees, or similar entities of ATCOG and records shall be created, maintained, stored, microfilmed, or disposed of in accordance with the Plan.
2. State law relating to the duties, other responsibilities, or record keeping requirement of a program head does not exempt that program head or the records in their care from the application of these policies and procedures and the Plan adopted under it and may not be used by the program head as a basis for refusal to participate in the ATCOG records management program.

Records Control Schedule Development, Approval and Filing with the State

The Records Management Officer, in cooperation with the program head and records liaison officers, shall prepare records control schedules listing all records created or received and the retention period for each record. Records control schedules shall also contain such other information regarding the disposition of records as the Plan may require.

Each records control schedule shall be monitored and amended as needed by the Records Management Officer on a regular basis to ensure that it is in compliance with records retention schedules issued by the state and that it continues to reflect the recordkeeping procedures and needs of the ATCOG records management program.

A records control schedule must be submitted by the Records Management Officer to and accepted for filing by the Director and Librarian of the Texas State Library, as provided by state law. If a schedule is not accepted for filing, the schedule shall be amended to make it acceptable for filing.

Records Control Schedule Implementation and Records Destruction

A records control schedule that has been approved shall be implemented by program heads and records liaison officers according to the policies and procedures of the Records Management Plan.

A record whose retention period has expired on a records control schedule shall be destroyed unless an open records request is pending on the record; the subject matter of the record is pertinent to a pending lawsuit; or the Records Management Officer determines that the record should be retained for an additional period.

Prior to the destruction of a record under an approved records control schedule, authorization for the destruction must be obtained by the Records Management Officer from the Executive Director.

Destruction of Unscheduled Records

A record that has not yet been listed on an approved records control schedule may be destroyed if its destruction has been approved in the same manner as a record destroyed under an approved schedule and if the Records Management Officer has submitted to and received back from the program head and an appropriate records liaison officer, if applicable, an approved destruction authorization request.

Micrographics

Microfilming of records will be centralized and under the direct supervision of the Records Management Officer unless specifically exempted. The Plan will establish policies and procedures for the microfilming of designated records, including policies to ensure that all microfilming is done in accordance with standards and procedures for the microfilming of local government records established in the rules of the Texas State Library and Archives Commission. The Plan will also establish criteria determining the eligibility of records for microfilming and protocols for ensuring that a microfilming program that is exempted from the centralized operations is, nevertheless, subject to periodic review by the Records Management Officer as to cost-effectiveness, administrative efficiency, and compliance with commission rules.

BRIEFING PAPER

ITEM 8:

Review and consider approval of the purchase of Q'Straint Incline Floor Mount Winch Systems for the TRAX and Paris Metro fleets.

BACKGROUND:

5310 funds activities to support providing transportation services to meet the specialized needs of older adults and people with disabilities. Many of our passengers use mobility devices to get around. Unfortunately, most of them are manual wheelchairs which sometimes makes it difficult for our Operators to assist the passenger up and down the ramp. Even in ideal situations and conditions, that process can become difficult and dangerous. The Incline system allows the operator to manually guide a mobility passenger in and out of a vehicle with a thumb controller, guiding the device up and down a ramp.

DISCUSSION:

ATCOG would like to purchase seventeen winch systems. The seventeen winch systems cost a total of \$73,672.56. TXDOT has approved the Transportation Department to purchase this item using 5310 funding along with rural state funding. If approved by the Board, the purchase will be procured through the State H-GAC Cooperative Purchasing Program Buy Board.

RECOMMENDATION:

Staff recommends approval.

RESOLUTION NO. ABD23-03

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS (ATCOG) APPROVING THE PURCHASE OF QSTRAINT INQLINE WINCHES FOR THE TRAX AND PARIS METRO FLEETS.

WHEREAS, the ATCOG Board of Directors approved the ATCOG Procurement Policy and Procedure Manual on December 14, 2017; and

WHEREAS, ATCOG Procurement Policy and Procedure Manual states ATCOG Board approval is required for all purchases of \$50,000 and above; and

WHEREAS, the ATCOG Transportation Department needs to purchase the winches for the purpose of ensuring the safety of our operators and passengers; and

WHEREAS, the winches will be procured through the State of Texas Buy Board; and

WHEREAS, the funding for the purchase is available through Federal Section 5310 and the Formula Grants for Rural Areas.

NOW, THEREFORE, BE IT RESOLVED BY THE OF THE ARK-TEX COUNCIL OF GOVERNMENTS:

Section 1 - That the Board approves the purchase of Q'Straint Incline Winch Systems.

Section 2 - That the Executive Director, Chris Brown, has full signature authority to act on behalf of the ATCOG Board relating to the aforementioned purchase.

Section 3 - That this resolution is approved by majority vote in accordance with the bylaws of Ark-Tex Council of Governments and applicable law, and shall be in effect immediately upon its adoption.

REVIEWED AND APPROVED THIS 8TH DAY OF DECEMBER, 2022.

**L.D. Williamson, President
Board of Directors
Ark-Tex Council of Governments**

ATTEST:

BRIEFING PAPER

ITEM 9:

Review and consider approval of the revisions to the Regional Criminal Justice Advisory Committee (RCJAC) Bylaws.

BACKGROUND:

The Bylaws are very important in conducting the business of the RCJAC and scoring the PSO/CJD grant applications. The Office of the Governor – PSO/CJD requires ATCOG Criminal Justice Staff to submit a copy of the current RCJAC Bylaws upon request and to also provide a copy to potential CJD grant applicants.

DISCUSSION:

The RCJAC conducts an annual review of the current RCJAC Bylaws. Amendments were necessary for FY23. The Bylaws were reviewed, and amendments were discussed, and recommendations were made by the RCJAC.

RECOMMENDATION:

Staff recommends approval.

**ARK-TEX COUNCIL OF GOVERNMENTS
REGIONAL CRIMINAL JUSTICE ADVISORY COMMITTEE
BYLAWS**

ARTICLE I – NAME, PURPOSE, RESPONSIBILITIES

The name of this body shall be the Regional Criminal Justice Advisory Committee (RCJAC) of the Ark-Tex Council of Governments (ATCOG).

The Committee shall assist and advise the staff and Executive Board of ATCOG on all appropriate matters relating to criminal justice issues in the region. Specifically, it shall:

- ❖ Review and consider recommendations concerning funding of local, State and/or Federal programs.
- ❖ Review and prioritize programs submitted for funding provided through the Office of the Governor – Public Safety Office (PSO), Criminal Justice Division (CJD), in accordance with RCJAC and [PSO/CJD](#) rules and regulations as adopted.

ARTICLE II – MEMBERSHIP

The RCJAC shall have a multi-disciplinary representation of members from the region, which includes the following groups or disciplines: non-profit organizations, municipalities, counties, citizens or parents, substance abuse prevention, education, juvenile justice, law enforcement, mental health, prosecution or courts, and victim services. No single group or discipline may constitute more than one-third (1/3) of the RCJAC.

County Membership

The RCJAC shall have 27 county members. The membership per county shall be based on population with the following distribution: counties with 50,000 and above shall be allocated five members; counties with 25,000 and above shall be allocated four members; counties with 10,000 and above shall be allocated two members, and counties below 10,000 shall be allocated one member.

Members shall be recommended by the County Judge of the County where a vacancy exists, subject to approval by the ATCOG Board.

Regional Membership

The RCJAC shall have additional members from the region, recommended by ATCOG Criminal Justice staff subject to approval by the ATCOG Board, in order to ensure representation from each membership category.

Other Membership

A member of the ATCOG Board may be appointed by the ATCOG Executive Committee to serve as a liaison between the Board and the RCJAC.

ATCOG Criminal Justice staff shall perform the necessary staff functions to support the Committee's activities.

Membership Terms and Attendance

Terms of membership shall be two years. Members may be reappointed to serve additional terms. Terms of membership shall begin January 1 of every evenly numbered year.

Members who are absent from three consecutive meetings without a valid excuse shall be considered to have submitted his/her resignation. A member may resign at any time by submitting a written notice to ATCOG.

ARTICLE III - OFFICERS

The officers of the RCJAC shall be Chairman, 1st Vice-Chairman, and 2nd Vice-Chairman. Officers shall serve two-year terms. Officers shall be selected from and by the RCJAC membership during the first quarter of every evenly numbered year. Officers may be elected to serve more than one term.

The Chairman shall preside at all meetings of the RCJAC. The 1st Vice-Chairman shall perform the duties of the Chairman in his/her absence. The 2nd Vice-Chairman shall perform the duties of the 1st Vice-Chairman in his/her absence. If both the Chairman and 1st Vice-Chairman are absent, the 2nd Vice-Chairman shall perform the duties of the Chairman.

ARTICLE IV – MEETINGS

Open Meetings and Records

All meetings of the RCJAC shall be open to the public. All ATCOG governing board meetings and RCJAC meetings at which PSO/CJD-related matters are discussed must comply with the requirements listed in the Texas Government Code, Chapter 551 (Texas Open Meetings Act).

The RCJAC Chairman or presiding Chairman has the option of closing the meetings when deemed necessary for confidentiality purposes.

Minutes of the RCJAC meetings, documents distributed and other records are the property of ATCOG. These materials are available for public view, at the ATCOG offices, upon receipt of a written request by the interested party.

Except where these bylaws require otherwise, Robert's Rules of Order shall govern the conduct of RCJAC meetings.

Quorum and Action

Twenty-five percent (25%) of the total membership will constitute a quorum at any meeting, whether at a location or by teleconference or webinar. If by teleconference or webinar, an official roll call will be taken to ensure a quorum is present.

Action taken by the committee shall be by a simple majority vote of the members present at the meeting by which a quorum is present.

Regular Meetings

The RCJAC shall meet as necessary during the year on a day, time and place specified by the ATCOG Executive Director, the ATCOG Criminal Justice liaison or the RCJAC as a whole.

RCJAC meetings can be conducted at a location, via teleconference, or via webinar as is allowable by the Texas Open Meetings Act.

Written notice, including an agenda, of each regular meeting shall be prepared by the ATCOG Criminal Justice liaison and electronically transmitted to each RCJAC member at least five (5) business days before the meeting date.

Special Meetings

The RCJAC shall hold a special meeting if called by the ATCOG Executive Director, the ATCOG Criminal Justice liaison, the RCJAC Chairman or requested in writing by at least one-third of the RCJAC membership. Only business reasonably related to the purpose or purposes described in the request may be conducted at a special meeting.

Notice of any special meeting shall be given at least seventy-two (72) hours prior to the special meeting.

Special meetings can be conducted in person, via teleconference, or via webinar as is allowable by the Texas Open Meetings Act.

ARTICLE V - SUBCOMMITTEES

The RCJAC Chairman shall appoint temporary subcommittees as the need arises to perform specific tasks related to the business and activities of the RCJAC.

ARTICLE VI - BYLAWS AMENDMENTS

RCJAC Bylaws Review

The RCJAC shall review the bylaws annually to keep the document current. The RCJAC may amend these bylaws at a regular or special meeting. The written text of a proposed amendment must be recorded at the meeting at which the amendments are discussed and voted on. RCJAC amendment recommendations shall be presented to the ATCOG Board of Directors for final approval. If upon review of the bylaws no amendments are deemed necessary, then no further action is required.

By ATCOG Board of Directors

The ATCOG Board of Directors may amend these bylaws at a regular or special meeting. The written text of a proposed amendment must be included with the notice of the meeting at which the amendment will be considered.

Effective Date

An amendment to the bylaws takes effect when approved by the ATCOG Board of Directors unless the amendment specifies a later effective date. Copies of amended bylaws will be distributed to the RCJAC members by ATCOG Criminal Justice staff.

ARTICLE VII - GRANT APPLICATION REVIEW PROCEDURES

Local Priorities & Strategic Plan

Each proposal must provide services, which have been identified as a local priority/need in the ATCOG region. Each applicant should contact ATCOG Criminal Justice staff to determine if the proposed project is listed as a local priority in the ATCOG region.

The Strategic Plan for the region shall be reviewed and revised as necessary and should not exceed a 5-year cycle without updating, with an effort to follow the format recommended by ~~the Criminal Justice Division of the Governor's Office (CJD)~~ PSO/CJD. Based on the current requirements by PSO/CJD, the top five local priorities within each category of the Strategic Plan (Victim Services/Mental Health, Juvenile Services, Law Enforcement) will be used in the grant application scoring process and also submitted to PSO/CJD. Focus groups of the previously mentioned

categories will develop a list of recommendations for the top five (can be less than five if necessary) priorities of each category. These recommendations will be reviewed by the RCJAC and ATCOG Board for their approval prior to the scoring process. Since the local priorities are necessary in the application scoring process, the priorities will be reviewed/discussed by the focus groups each year and recommended to the RCJAC and ATCOG Board for approval, regardless if the full Strategic Plan is updated during that particular year. A list of participating representatives present at the Strategic Planning meeting, and their affiliation, should be attached to the Strategic Plan, with the date of review and revision. The Strategic Plan is available to view on the ATCOG website, www.atcog.org.

Grant Application Workshop

Each applicant must attend a Grant Application Workshop presented by ATCOG Criminal Justice staff prior to beginning the application process each year until further notice. The workshop will be conducted at a location, via teleconference, webinar, or by other electronic means as decided by ATCOG CJ Staff each year. ~~Local officials and anyone who has expressed an interest in applying for a grant~~ Current grantees, potential applicants, and other requestors will be notified of the date, time and location (physical location and/or teleconference/webinar/electronic info) of the workshop, along with deadlines that may apply. This information will be announced with the notification of available grant funding. A one-on-one conference can substitute for workshop attendance if someone is unable to attend. Applicants must have the "Intent to Apply/Grant Workshop Verification Form" signed and returned to ATCOG CJ Staff at least 30 calendar days prior to the PSO/CJD eGrants application submission deadline. The 30-day requirement allows for review of application alignment with regional priorities and reasonableness prior to the application being submitted and also ensures that all applications are received by the region for funding consideration. If this local requirement is not met, the RCJAC and/or the ATCOG Board has the option to recommend less funding than applied for or no funding on any fund source application submitted by an applicant.

Notification of Application Deadlines

~~All local officials, current and potential grantees,~~ Current grantees, potential applicants, and other requestors will be notified of grant application deadlines as soon as they are established.

Under no circumstances will grant applications be accepted after the deadline.

Funding Categories Reviewed by RCJAC

The RCJAC reviews and competitively scores and/or, prioritizes, and establishes funding recommendations for the following categories:

General Victim Assistance – Direct Services Program
(Victims of Crime Act – VOCA)

Violent Crimes Against Women Justice and Training Program
Domestic Violence, Sexual Assault, Dating Violence, and Stalking
(Violence Against Women Act – VAWA)

Juvenile Justice and Truancy Prevention Programs
~~(Juvenile Justice and Delinquency Prevention Act – JJDP)~~
(State Criminal Justice Planning Fund - 421)
(Truancy Prevention Grant Program)

Justice Assistance Grant (JAG) Program
(Byrne Justice Assistance Grant)
(State Criminal Justice Planning Fund – 421)

Victims of Commercial Sexual Exploitation
(Victims of Crime Act – VOCA)

PSO/CJD may also recommend or require the RCJAC to review and score applications in additional funding categories when necessary. At that time, the corresponding scoring instruments or other scoring documents to be used will be reviewed and approved by the RCJAC and made available to those applicant(s) prior to the scoring process.

Fund Specific Requirements

Decreasing Ratio Policy for JAG Applications:

Decreasing ratio and five-year maximum projects shall establish their PSO/CJD request each year by following the percentages listed below (Benchmark is based on the amount awarded by PSO/CJD in the first year of funding). This requirement is in effect for the following funding categories: Criminal Justice Programs (JAG).

1st year – 100% CJD funding (Benchmark amount established)
2nd year - 80% CJD funding
3rd year - 60% CJD funding
4th year - 40% CJD funding
5th year - 40% CJD funding

If a grant applicant is not funded during any year of the cycle, they will be allowed to apply at the same percentage/amount for the following year. (Ex. In 2020 an agency is currently at 80% (yr. 2) applying for \$50,000, but they are not awarded the grant. In 2021, they will be allowed to apply at 80% (yr. 2) for \$50,000. If awarded in 2021, they will then be allowed to apply at 60% (yr. 3) in 2022.)

Grant Application Scoring Guidelines

New projects and continuation projects shall be reviewed, scored, and prioritized for funding each year, as applicable. All projects considered for PSO/CJD funding must meet the guidelines and requirements established by PSO/CJD annually. The applicant agency/organization must be located within the ATCOG region and provide services within the ATCOG region in order for the application to be recommended for funding in the ATCOG region. If this location requirement is not met, the applicant will receive a score of 0 and will not be recommended for funding. eligible for review and scoring.

Review Instrument/Score Sheet

A standard review instrument shall be used to score the projects, and an average score shall be calculated for each proposal. The review instrument used by the RCJAC to score the grant applications is developed by ATCOG staff to accommodate the recommendations/approvals by the RCJAC, based on PSO/CJD requirements and the local priorities in the Regional Criminal Justice Strategic Plan. This review instrument is subject to change each year, as the PSO/CJD requirements and the local priorities are also subject to change.

High/Low Scores Dropped

The high and low score of each grant application will be dropped if the number of eligible RCJAC scoring members (to submit their scores) for the particular funding source is ten or greater.

Tie-Breaker Method

In the event of a tie, the following procedure will be utilized: Staff shall remove the lowest score from the applications that result in a tie and re-average the remaining scores. This process shall be repeated, continuing to remove the lowest remaining score until the tie is broken. The scores resulting from the tie breaking process will only be used for the purpose of breaking the tie. These scores will not be used to change any other rankings in the prioritization process. The RCJAC shall be notified of the tie and the revised results.

Applicant Correspondence with RCJAC Regarding Scoring

A grant applicant, or individual(s) acting on behalf of the applicant, shall not contact any RCJAC member prior to any scoring/prioritization meeting to persuade a score. If an applicant, or individual(s) acting on behalf of the applicant, contacts a scoring member to persuade a score, their application may be disqualified at the discretion of the RCJAC.

If a RCJAC member receives a contact of this nature from an applicant, or individual(s) acting on behalf of the applicant, the scoring member should contact the RCJAC Chairman and/or ATCOG Criminal Justice staff.

Conflict of Interest

The COG's governing body and RCJAC members must abstain from scoring, commenting, and voting on any application, other than a grant application submitted by the COG, during the prioritization process if they or an individual related within the third degree by consanguinity or within the second degree by affinity:

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

RCJAC members who have a conflict of interest should contact ATCOG CJ Staff prior to the scoring meeting regarding their conflict.

Applicant Presentation/Scoring Meeting

Mandatory Attendance of Applicant Presentation/Scoring Meeting: Grant applicants are required to have a representative attend the RCJAC Applicant Presentation/Scoring Meeting, to provide a brief presentation regarding their project to the RCJAC. If no representative is present for an applicant, the RCJAC and/or the ATCOG Board has the option to ~~not consider the project for funding recommend less funding than applied for or no funding on any fund source application submitted by an applicant.~~ Upon receipt of copies of the grant applications and scoring instruments, the RCJAC members must complete the scoring process by the established deadline following applicant presentations. ~~the committee members may complete the scoring sheets at their convenience and bring them to the Applicant Presentation/Scoring Meeting. If RCJAC members wish to revise their scores after hearing the applicant presentations, they may do so before submitting them to ATCOG staff for tabulation.~~

~~If a RCJAC member is not present at the scoring meeting, their scores will not be considered unless it is decided there are extenuating circumstances related to their absence. In order for their scores to be considered, the member must send a notarized letter to ATCOG prior to, or at the meeting, with their reason for absence stated in the letter. The letter will be presented to the RCJAC members who are present at the meeting, at which time the RCJAC will vote to accept or not accept the scores based on the member's reason for absence.~~

Prioritization Meeting Outcomes

The RCJAC shall meet to discuss and take further action(s), if necessary, in determining the application funding recommendations, prior to submitting them to the ATCOG Board. The RCJAC and/or the ATCOG Board has the option to recommend more or less funding than applied for, or no funding, on any fund source application submitted by an applicant. Following approval by the ATCOG Board, the results of the funding priorities/recommendations will be emailed to the RCJAC members and grant applicants, and will be submitted to the OOG/PSO/CJD.

~~The RCJAC and/or the ATCOG Board has the option not to recommend for funding, an application or line item(s) identified as ineligible. The decision not to recommend funding these applications must be accurately reported to CJD.~~

~~The RCJAC and/or the ATCOG Board has the option to recommend less funding than applied for on any fund source application submitted by an applicant. The decision to recommend less funding than the original amount requested by the grant applicant must be reached by a simple majority vote of the RCJAC and/or the ATCOG Board.~~

Appeal Procedure

Each applicant will be allowed to appeal actions of the Regional Criminal Justice Advisory Committee (RCJAC). Appeals must be based on a verifiable error made during the prioritization or review process and the applicant must be able to show that the error actually caused the application or portion of the application to not be funded. Factors that allow discretion by RCJAC members will not be considered for an appeal. The applicant must submit written documentation in support of the appeal. Letters and phone calls of support will not be considered as part of the official appeal process.

All appeals must be handled as follows:

- An applicant must notify the ATCOG Executive Director in writing of the alleged violation of the RCJAC scoring guidelines and/or the error(s) made in the scoring/prioritization process within ten (10) days following the scoring meeting.

➤ The ATCOG Board of Directors shall consider all appeals in an open meeting. Documentation submitted by the applicant that meets the criteria as stated above will be considered by the ATCOG Board of Directors. Subsequent notification by ATCOG of a decision concerning funding serves as final notice of approval or denial.

Civil Rights Policies

➤ ATCOG has an Equal Employment Opportunity Plan in place and the ATCOG Human Resources Manager acts as the EEO Officer and is responsible for implementing the ATCOG EEO Program. Through the EEO Plan and the EEO Officer, employees are notified that ATCOG provides a work environment that is free from discrimination, including harassment, based on race, color, national origin, religion, creed, sex, age, genetic information, disability status, protected veteran status, sexual orientation, gender identity or expression.

In addition to ATCOG's EEO Plan for employees, ATCOG offers the following civic rights information available to employees and also to individuals that participate in (or benefit from) ATCOG's criminal justice grant programs/activities (available on the ATCOG website www.atcog.org/atcog-home/criminal-justice):

- ATCOG's criminal justice programs do not discriminate on the basis of race, color, national origin, religion, creed, sex, age, genetic information, disability status, protected veteran status, sexual orientation, gender identity or expression, or English proficiency.
- ATCOG's EEO Complaint Process (p.8 in ATCOG EEO Plan - on website) should be used when an ATCOG employee, or an individual that participates in (or benefits from) ATCOG's criminal justice programs, files a complaint alleging discrimination on the basis of race, color, national origin, religion, creed, sex, age, genetic information, disability status, protected veteran status, sexual orientation, gender identity or expression, or English proficiency.
- ATCOG does not retaliate against the following individuals:
 - Persons who file discrimination complaints or lawsuits.
 - Persons who participate in discrimination proceedings as witnesses.
- ATCOG provides access to their criminal justice programs/activities to persons who have limited English proficiency (LEP) by using a language translation/interpretation service when necessary.
- ATCOG criminal justice programs comply with the Equal Treatment for Faith-Based Organizations guidelines including efforts to ensure the programs do not use direct federal funding to engage in explicitly religious activities and that the program does not discriminate against program participants and/or vendors on the basis of religion or religious beliefs, a refusal to hold a religious belief, or a refusal to participate in a religious practice.

Reviewed/amended/approved by RCJAC 11-17-22.
To be reviewed/approved by ATCOG Board 12-08-22.

RESOLUTION NO. ABD23-04

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS APPROVING THE REVISIONS OF THE REGIONAL CRIMINAL JUSTICE ADVISORY COMMITTEE (RCJAC) BYLAWS.

WHEREAS, the Regional Criminal Justice Advisory Committee (RCJAC) is an advisory subcommittee of the ATCOG Board of Directors; and

WHEREAS, the bylaws of the committee regulate committee affairs and the behavior of its members.

NOW, THEREFORE, BE IT RESOLVED BY THE ARK-TEX COUNCIL OF GOVERNMENTS:

Section 1 - That the ATCOG Board of Directors approves the RCJAC bylaw revisions as shown in the attachment.

Section 2 - That all other previous bylaws adopted by the ATCOG Board of Directors are now null and void.

Section 3 - That this resolution is approved by majority vote in accordance with the bylaws of Ark-Tex Council of Governments and applicable law, and shall be in effect immediately upon its adoption.

REVIEWED AND APPROVED THIS 8TH DAY OF DECEMBER, 2022.

**L. D. Williamson, President
Board of Directors
Ark-Tex Council of Governments**

ATTEST:

BRIEFING PAPER

ITEM 10:

Review and consider approval of the revisions to the Regional Criminal Justice Advisory Committee (RCJAC) local priorities and the grant application scoring instrument.

BACKGROUND:

The local priorities and the scoring instruments are very important tools used by the RCJAC to review and score the criminal justice grant applications from OOG/PSO/CJD. The RCJAC conducts an annual review of the local priorities and the scoring instruments for each fund source.

DISCUSSION:

The local priorities were established by the Regional Criminal Justice Planning Focus Groups. Those recommendations, as well as the scoring instrument, were reviewed and approved by the RCJAC to be incorporated into the application scoring process, as required by the Office of the Governor-PSO/CJD.

RECOMMENDATION:

Staff recommends approval.

Local Priorities for Grant Year FY24

Victim Services

- 24-hour crisis intervention, legal advocacy, and counseling (staff counselor) to victims of domestic violence, sexual assault, stalking, dating violence, and human/sex trafficking and also provide shelter services and case management to the victims as necessary.
- Provide a safe child-friendly atmosphere for child abuse victims, while fostering collaborative working relationships with investigative agencies, thus reducing the trauma experienced by child victims and their non-offending family member when interviewed and provide follow up services.
- Legal Advocacy and/or assistance with protective order processing, court accompaniment, as well as assistance with Crime Victims' Compensation (CVC) and Texas Victim Information & Notification Everyday (VINE), in relation to violent crime victims.
- Short-term housing assistance for victims of domestic violence and sexual assault, as well as other types of victims.
- Educational programs, public awareness, school programs, and community involvement to increase awareness regarding child abuse, neglect, domestic violence, sexual assault, bullying, and dating violence.

Juvenile Services

- Resources for sex offender treatment, psychological/psycho-sexual evaluations, and other mental health and substance abuse services for at-risk youth, including psychiatric evaluations, counseling, and treatment.
- Programs to divert at-risk youth from entering the juvenile justice system, such as prevention services and mentoring programs for children under age 10.
- School Resource Officers and Juvenile Case Managers to lead preventative intervention services and classes such as awareness and prevention programs, peer support groups, and combat school violence, delinquency, and truancy.
- Programs/services to assist youth in their development of cognitive behavioral skills including positive decision making and thought processes, and also independent living skills for ages 16 and older.
- Resources for child and youth victims of human/sex trafficking.

Law Enforcement Services

- Required, mandated and operational training for law enforcement.
- Advanced equipment and technology for law enforcement purposes.
- Updated communications systems, allowing for agency and interagency communication and cooperation.
- Resources to address the excessive crime, such as human/sex trafficking, and also cyber crimes.
- Resources to address mental health and mentally ill individuals in their interaction with law enforcement, as well as in the jail system.

Office of Governor – Public Safety Office/CJD Applications

RCJAC Scoring Instrument

Name (of RCJAC Member):

Phone (of RCJAC Member):

(Drop down menu for fund source to be scored)

Funding Opportunity: **Residential and Community-Based Services for Victims of the Commercial Sexual Exploitation (CSE)**

Applicant Agency:

Project Title:

Application Number:

Amount Requested:

Conflict of Interest:

The COG's governing body and RCJAC members must abstain from scoring, commenting, and voting on any application, other than a grant application submitted by the COG, during the prioritization process if they, or an individual related within the third degree by consanguinity or within the second degree by affinity, have one or more of the following conflicts of interest.

(Please answer each question)

Are you, or an individual related within the third degree by consanguinity or within the second degree by affinity, employed by the applicant agency and works for the unit or division that would administer the grant if awarded? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Do you, or an individual related within the third degree by consanguinity or within the second degree by affinity, serve on any governing board that oversees the unit or division that would administer the grant if awarded? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Do you, or an individual related within the third degree by consanguinity or within the second degree by affinity, own or control any interest in a business entity or other non-governmental organization that benefits, directly or indirectly, from activities with the applicant agency? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Will you, or an individual related within the third degree by consanguinity or within the second degree by affinity, receive any funds, or a substantial amount of tangible goods or routine services, from the applicant agency as a result of the grant, if awarded? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Commercially Sexually Exploited Youth (CSEY) Advocates

Core elements/what to look for: (Maximum 5 Total Points)

1. Does the applicant demonstrate an awareness and understanding of the problem; does it cover a gap in service? (Yes or No selection) (If yes, maximum 1 point given. If no, 0 points given)
2. Does the applicant provide full-time CSEY Advocates with experience responding to survivors in crisis 24/7? (Yes or No selection) (If yes, maximum 1 point given. If no, 0 points given)
3. Does the applicant describe its formal partners; specifically its local care coordination advisory council? (i.e. Law Enforcement, DFPS, shelters/placements, etc) (Yes or No selection) (If yes, maximum 1 point given. If no, 0 points given)
4. Does the applicant have the adequate personnel, experience, capabilities (24/7 Crisis Response) and resources to accomplish its intended goal? (Yes or No selection) (If yes, maximum 1 point given. If no, 0 points given)
5. Does the applicant successfully describe its usage of Evidence-Based Models; specifically long-term, trust-based relationships & case management for survivors up through age 21? (Yes or No selection) (If yes, maximum 1 point given. If no, 0 points given)

Comments:

By entering your RCJAC member code below, you are certifying that the above scores are your own.

(ATCOG CJ Coordinator will issue each RCJAC member his/her confidential code prior to scoring.)

Office of Governor – Public Safety Office/CJD Applications
RCJAC Scoring Instrument

Name (of RCJAC Member):

Phone (of RCJAC Member):

(Drop down menu for fund source to be scored)

Funding Opportunity: Residential and Community-Based Services for Victims of the Commercial Sexual Exploitation (CSE)

Applicant Agency:

Project Title:

Application Number:

Amount Requested:

Conflict of Interest:

The COG’s governing body and RCJAC members must abstain from scoring, commenting, and voting on any application, other than a grant application submitted by the COG, during the prioritization process if they, or an individual related within the third degree by consanguinity or within the second degree by affinity, have one or more of the following conflicts of interest.

(Please answer each question)

Are you, or an individual related within the third degree by consanguinity or within the second degree by affinity, employed by the applicant agency and works for the unit or division that would administer the grant if awarded? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Do you, or an individual related within the third degree by consanguinity or within the second degree by affinity, serve on any governing board that oversees the unit or division that would administer the grant if awarded? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Do you, or an individual related within the third degree by consanguinity or within the second degree by affinity, own or control any interest in a business entity or other non-governmental organization that benefits, directly or indirectly, from activities with the applicant agency? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Will you, or an individual related within the third degree by consanguinity or within the second degree by affinity, receive any funds, or a substantial amount of tangible goods or routine services, from the applicant agency as a result of the grant, if awarded? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Drop-In Centers

Core elements/what to look for: (Maximum 5 Total Points)

1. Does the applicant demonstrate an awareness and understanding of the problem; does it cover a gap in service? (Yes or No selection) (If yes, maximum 1 point given. If no, 0 points given)
2. Does the applicant provide for physical safety, basic needs, medical and mental health, case management and connecting activities for youth walk-ins and/or drop-offs? (Yes or No selection) (If yes, maximum 1 point given. If no, 0 points given)
3. Does the applicant describe its formal partners? (i.e. Law Enforcement, DFPS, shelters/placements, etc) (Yes or No selection) (If yes, maximum 1 point given. If no, 0 points given)
4. Does the applicant have the adequate personnel, experience, capabilities and resources to accomplish its intended goal? (Yes or No selection) (If yes, maximum 1 point given. If no, 0 points given)
5. Does the applicant successfully describe evidence-based site-based services for walk-ins, drop-offs, and as applicable street outreach programming? (Yes or No selection) (If yes, maximum 1 point given. If no, 0 points given)

Comments:

By entering your RCJAC member code below, you are certifying that the above scores are your own.

(ATCOG CJ Coordinator will issue each RCJAC member his/her confidential code prior to scoring.)

Office of Governor – Public Safety Office/CJD Applications

RCJAC Scoring Instrument

Name (of RCJAC Member):

Phone (of RCJAC Member):

(Drop down menu for fund source to be scored)

Funding Opportunity: **Residential and Community-Based Services for Victims of the Commercial Sexual Exploitation (CSE)**

Applicant Agency:

Project Title:

Application Number:

Amount Requested:

Conflict of Interest:

The COG's governing body and RCJAC members must abstain from scoring, commenting, and voting on any application, other than a grant application submitted by the COG, during the prioritization process if they, or an individual related within the third degree by consanguinity or within the second degree by affinity, have one or more of the following conflicts of interest.

(Please answer each question)

Are you, or an individual related within the third degree by consanguinity or within the second degree by affinity, employed by the applicant agency and works for the unit or division that would administer the grant if awarded? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Do you, or an individual related within the third degree by consanguinity or within the second degree by affinity, serve on any governing board that oversees the unit or division that would administer the grant if awarded? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Do you, or an individual related within the third degree by consanguinity or within the second degree by affinity, own or control any interest in a business entity or other non-governmental organization that benefits, directly or indirectly, from activities with the applicant agency? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Will you, or an individual related within the third degree by consanguinity or within the second degree by affinity, receive any funds, or a substantial amount of tangible goods or routine services, from the applicant agency as a result of the grant, if awarded? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Long-Term Residential Services

Core elements/what to look for: (Maximum 5 Total Points)

1. Does the applicant demonstrate an awareness and understanding of the problem; does it cover a gap in service? (Yes or No selection) (If yes, maximum 1 point given. If no, 0 points given)
2. Does the applicant provide trauma-responsive case management, wraparound services, and crisis services? (Yes or No selection) (If yes, maximum 1 point given. If no, 0 points given)
3. Does the applicant describe its formal partners? (i.e. Law Enforcement, DFPS, CSEY Advocates, etc) (Yes or No selection) (If yes, maximum 1 point given. If no, 0 points given)
4. Does the applicant have the adequate personnel, experience, residential treatment or therapeutic foster care capabilities (long-term), and resources to accomplish its intended goal? (Yes or No selection) (If yes, maximum 1 point given. If no, 0 points given)
5. Does the applicant successfully describe its usage of Evidence-Based and/or Promising Practice Models? (Yes or No selection) (If yes, maximum 1 point given. If no, 0 points given)

Comments:

By entering your RCJAC member code below, you are certifying that the above scores are your own.

(ATCOG CJ Coordinator will issue each RCJAC member his/her confidential code prior to scoring.)

Office of Governor – Public Safety Office/CJD Applications

RCJAC Scoring Instrument

Name (of RCJAC Member):

Phone (of RCJAC Member):

(Drop down menu for fund source to be scored)

Funding Opportunity: **Residential and Community-Based Services for Victims of the Commercial Sexual Exploitation (CSE)**

Applicant Agency:

Project Title:

Application Number:

Amount Requested:

Conflict of Interest:

The COG's governing body and RCJAC members must abstain from scoring, commenting, and voting on any application, other than a grant application submitted by the COG, during the prioritization process if they, or an individual related within the third degree by consanguinity or within the second degree by affinity, have one or more of the following conflicts of interest.

(Please answer each question)

Are you, or an individual related within the third degree by consanguinity or within the second degree by affinity, employed by the applicant agency and works for the unit or division that would administer the grant if awarded? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Do you, or an individual related within the third degree by consanguinity or within the second degree by affinity, serve on any governing board that oversees the unit or division that would administer the grant if awarded? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Do you, or an individual related within the third degree by consanguinity or within the second degree by affinity, own or control any interest in a business entity or other non-governmental organization that benefits, directly or indirectly, from activities with the applicant agency? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Will you, or an individual related within the third degree by consanguinity or within the second degree by affinity, receive any funds, or a substantial amount of tangible goods or routine services, from the applicant agency as a result of the grant, if awarded? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Emergency Residential Services

Core elements/what to look for: (Maximum 5 Total Points)

1. Does the applicant demonstrate an awareness and understanding of the problem; does it cover a gap in service? (Yes or No selection) (If yes, maximum 1 point given. If no, 0 points given)
2. Does the shelter provide basic needs, safety planning, case management, empowering activities; specifically strategies to promote victim's safety? (Yes or No selection) (If yes, maximum 1 point given. If no, 0 points given)
3. Does the applicant describe its formal partners? (i.e. Law Enforcement, DFPS, CSEY Advocates, etc) (Yes or No selection) (If yes, maximum 1 point given. If no, 0 points given)
4. Does the applicant have the adequate personnel, experience, capabilities (24/7 Emergency Shelter), and resources to accomplish its intended goal? (Yes or No selection) (If yes, maximum 1 point given. If no, 0 points given)
5. Does the applicant provide evidence-based clinical and behavioral services? (Yes or No selection) (If yes, maximum 1 point given. If no, 0 points given)

Comments:

By entering your RCJAC member code below, you are certifying that the above scores are your own.

(ATCOG CJ Coordinator will issue each RCJAC member his/her confidential code prior to scoring.)

Office of Governor – Public Safety Office/CJD Applications

RCJAC Scoring Instrument

Name (of RCJAC Member):

Phone (of RCJAC Member):

(Drop down menu for fund source to be scored)

Funding Opportunity: **Residential and Community-Based Services for Victims of the Commercial Sexual Exploitation (CSE)**

Applicant Agency:

Project Title:

Application Number:

Amount Requested:

Conflict of Interest:

The COG's governing body and RCJAC members must abstain from scoring, commenting, and voting on any application, other than a grant application submitted by the COG, during the prioritization process if they, or an individual related within the third degree by consanguinity or within the second degree by affinity, have one or more of the following conflicts of interest.

(Please answer each question)

Are you, or an individual related within the third degree by consanguinity or within the second degree by affinity, employed by the applicant agency and works for the unit or division that would administer the grant if awarded? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Do you, or an individual related within the third degree by consanguinity or within the second degree by affinity, serve on any governing board that oversees the unit or division that would administer the grant if awarded? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Do you, or an individual related within the third degree by consanguinity or within the second degree by affinity, own or control any interest in a business entity or other non-governmental organization that benefits, directly or indirectly, from activities with the applicant agency? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Will you, or an individual related within the third degree by consanguinity or within the second degree by affinity, receive any funds, or a substantial amount of tangible goods or routine services, from the applicant agency as a result of the grant, if awarded? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Specialized Behavioral Health & Community Services

Core elements/what to look for: (Maximum 5 Total Points)

1. Does the applicant demonstrate an awareness and understanding of the problem; does it cover a gap in service? (Yes or No selection) (If yes, maximum 1 point given. If no, 0 points given)
2. Does the applicant have experience providing identical or similar services for victims of trafficking, sexual assault, or exploitation? (Yes or No selection) (If yes, maximum 1 point given. If no, 0 points given)
3. Does the applicant have certification in and experience providing counseling and/or other therapeutic services with individuals experiencing symptoms of Complex-Post Traumatic Stress Disorder (C-PTSD) and similar conditions? (Yes or No selection) (If yes, maximum 1 point given. If no, 0 points given)
4. Does the applicant demonstrate ability to provide services that are responsive to survivors' needs such as crisis support, flexible hours, or off-site service delivery? (Yes or No selection) (If yes, maximum 1 point given. If no, 0 points given)
5. Does the applicant successfully describe its usage of Evidence-Based and/or Promising Practice Models? (Yes or No selection) (If yes, maximum 1 point given. If no, 0 points given)

Comments:

By entering your RCJAC member code below, you are certifying that the above scores are your own.

(ATCOG CJ Coordinator will issue each RCJAC member his/her confidential code prior to scoring.)

Office of Governor – Public Safety Office/CJD Applications

RCJAC Scoring Instrument

Name (of RCJAC Member):

Phone (of RCJAC Member):

(Drop down menu for fund source to be scored)

Funding Opportunity: **Residential and Community-Based Services for Victims of the Commercial Sexual Exploitation (CSE)**

Applicant Agency:

Project Title:

Application Number:

Amount Requested:

Conflict of Interest:

The COG's governing body and RCJAC members must abstain from scoring, commenting, and voting on any application, other than a grant application submitted by the COG, during the prioritization process if they, or an individual related within the third degree by consanguinity or within the second degree by affinity, have one or more of the following conflicts of interest.

(Please answer each question)

Are you, or an individual related within the third degree by consanguinity or within the second degree by affinity, employed by the applicant agency and works for the unit or division that would administer the grant if awarded? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Do you, or an individual related within the third degree by consanguinity or within the second degree by affinity, serve on any governing board that oversees the unit or division that would administer the grant if awarded? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Do you, or an individual related within the third degree by consanguinity or within the second degree by affinity, own or control any interest in a business entity or other non-governmental organization that benefits, directly or indirectly, from activities with the applicant agency? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Will you, or an individual related within the third degree by consanguinity or within the second degree by affinity, receive any funds, or a substantial amount of tangible goods or routine services, from the applicant agency as a result of the grant, if awarded? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Innovative Services

Core elements/what to look for: (Maximum 5 Total Points)

1. Does the applicant demonstrate an awareness and understanding of the problem; does it cover a gap in service? (Yes or No selection) (If yes, maximum 1 point given. If no, 0 points given)
2. Does the applicant demonstrate experience providing identical or similar services for adult or youth victims of trafficking, sexual assault, or exploitation in the same or nearby county in which innovative services are proposed OR have endorsement by local trafficking coalition, task force, or care coordination team that includes law enforcement, for the innovative service proposed? (Yes or No selection) (If yes, maximum 1 point given. If no, 0 points given)
3. Does the applicant designate the organization(s) and program(s) that will benefit directly from this innovative service? (Yes or No selection) (If yes, maximum 1 point given. If no, 0 points given)
4. Does the applicant identify the target population that will benefit and the survivor outcomes that will be different as a result of this innovation? (Yes or No selection) (If yes, maximum 1 point given. If no, 0 points given)
5. Does the applicant identify research that supports the effectiveness of the service for victims of commercial sexual exploitation? (Yes or No selection) (If yes, maximum 1 point given. If no, 0 points given)

Comments:

By entering your RCJAC member code below, you are certifying that the above scores are your own.

(ATCOG CJ Coordinator will issue each RCJAC member his/her confidential code prior to scoring.)

Office of Governor – Public Safety Office/CJD Applications

RCJAC Scoring Instrument

Name (of RCJAC Member):

Phone (of RCJAC Member):

(Drop down menu for fund source to be scored)

Funding Opportunity: **Justice Assistance Grant Program (JAG)**

Applicant Agency:

Project Title:

Application Number:

Amount Requested:

Conflict of Interest:

The COG's governing body and RCJAC members must abstain from scoring, commenting, and voting on any application, other than a grant application submitted by the COG, during the prioritization process if they, or an individual related within the third degree by consanguinity or within the second degree by affinity, have one or more of the following conflicts of interest.

(Please answer each question)

Are you, or an individual related within the third degree by consanguinity or within the second degree by affinity, employed by the applicant agency and works for the unit or division that would administer the grant if awarded? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Do you, or an individual related within the third degree by consanguinity or within the second degree by affinity, serve on any governing board that oversees the unit or division that would administer the grant if awarded? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Do you, or an individual related within the third degree by consanguinity or within the second degree by affinity, own or control any interest in a business entity or other non-governmental organization that benefits, directly or indirectly, from activities with the applicant agency? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Will you, or an individual related within the third degree by consanguinity or within the second degree by affinity, receive any funds, or a substantial amount of tangible goods or routine services, from the applicant agency as a result of the grant, if awarded? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Attendance: (Maximum 15 Points)

Was a knowledgeable representative from the applicant agency available at the CJAC scoring meeting to present their project and address potential questions?

Management & Fiscal Capability: (Maximum 15 Points)

If funded, would the applicant/agency be able to provide the necessary resources to manage and carry out the project in an effective and fiscally responsible manner?

Local Priorities: (Maximum 10 Points)

Does the project address at least one local priority for the ATCOG region from the following list?

- ❖ Required, mandated and operational training for law enforcement.
 - ❖ Advanced equipment and technology for law enforcement purposes.
 - ❖ Updated communications systems, allowing for agency and interagency communication and cooperation.
 - ❖ Resources to address the excessive crime, such as human/sex trafficking, and also cyber crimes.
 - ❖ Resources to address mental health and mentally ill individuals in their interaction with law enforcement, as well as in the jail system.
-

Documentation of Problem:

Does this project avoid duplication or overlapping of existing resources or programs available within the project's proposed service area and target population? (Maximum 10 Points)

Does the supporting data validate the problem within the proposed target area? (Maximum 10 Points)

Cost and Program Effectiveness:

Are the activities to be conducted reasonable and will they adequately accomplish the goals of the project? (Maximum 10 Points)

Are the budget line items eligible and essential to meeting the goals of the project? (Maximum 10 Points)

Does the organization have a clear plan to generate, collect, and assess output and outcome measures to support evaluation of results? (Maximum 10 Points)

Does the project document coordinated collaboration with other agencies and/or organizations? (Maximum 10 Points)

Comments:

By entering your RCJAC member code below, you are certifying that the above scores are your own.

(ATCOG CJ Coordinator will issue each RCJAC member his/her confidential code prior to scoring.)

Office of Governor – Public Safety Office/CJD Applications

RCJAC Scoring Instrument

Name (of RCJAC Member):

Phone (of RCJAC Member):

(Drop down menu for fund source to be scored)

Funding Opportunity: **Juvenile Justice & Truancy Prevention Grant Programs**

Applicant Agency:

Project Title:

Application Number:

Amount Requested:

Conflict of Interest:

The COG's governing body and RCJAC members must abstain from scoring, commenting, and voting on any application, other than a grant application submitted by the COG, during the prioritization process if they, or an individual related within the third degree by consanguinity or within the second degree by affinity, have one or more of the following conflicts of interest.

(Please answer each question)

Are you, or an individual related within the third degree by consanguinity or within the second degree by affinity, employed by the applicant agency and works for the unit or division that would administer the grant if awarded? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Do you, or an individual related within the third degree by consanguinity or within the second degree by affinity, serve on any governing board that oversees the unit or division that would administer the grant if awarded? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Do you, or an individual related within the third degree by consanguinity or within the second degree by affinity, own or control any interest in a business entity or other non-governmental organization that benefits, directly or indirectly, from activities with the applicant agency? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Will you, or an individual related within the third degree by consanguinity or within the second degree by affinity, receive any funds, or a substantial amount of tangible goods or routine services, from the applicant agency as a result of the grant, if awarded? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Attendance: (Maximum 15 Points)

Was a knowledgeable representative from the applicant agency available at the CJAC scoring meeting to present their project and address potential questions?

Management & Fiscal Capability: (Maximum 15 Points)

If funded, would the applicant/agency be able to provide the necessary resources to manage and carry out the project in an effective and fiscally responsible manner?

Local Priorities: (Maximum 10 Points)

Does the project address at least one local priority for the ATCOG region from the following list?

- ❖ Resources for sex offender treatment, psychological/psycho-sexual evaluations, and other mental health and substance abuse services for at-risk youth, including psychiatric evaluations, counseling, and treatment.
 - ❖ Programs to divert at-risk youth from entering the juvenile justice system, such as prevention services and mentoring programs for children under age 10.
 - ❖ School Resource Officers and Juvenile Case Managers to lead preventative intervention services and classes such as awareness and prevention programs, peer support groups, and combat school violence, delinquency, and truancy.
 - ❖ Programs/services to assist youth in their development of cognitive behavioral skills including positive decision making and thought processes, and also independent living skills for ages 16 and older.
 - ❖ Resources for child and youth victims of human/sex trafficking.
-

Documentation of Problem:

Does this project avoid duplication or overlapping of existing resources or programs available within the project's proposed service area and target population? (Maximum 10 Points)

Does the supporting data validate the problem within the proposed target area? (Maximum 10 Points)

Cost and Program Effectiveness:

Are the activities to be conducted reasonable and will they adequately accomplish the goals of the project? (Maximum 10 Points)

Are the budget line items eligible and essential to meeting the goals of the project? (Maximum 10 Points)

Does the organization have a clear plan to generate, collect, and assess output and outcome measures to support evaluation of results? (Maximum 10 Points)

Does the project document coordinated collaboration with other agencies and/or organizations? (Maximum 10 Points)

Comments:

By entering your RCJAC member code below, you are certifying that the above scores are your own.

(ATCOG CJ Coordinator will issue each RCJAC member his/her confidential code prior to scoring.)

Office of Governor – Public Safety Office/CJD Applications

RCJAC Scoring Instrument

Name (of RCJAC Member):

Phone (of RCJAC Member):

(Drop down menu for fund source to be scored)

Funding Opportunity: **Violence Against Women Formula Grant (VAWA)**

Applicant Agency:

Project Title:

Application Number:

Amount Requested:

Conflict of Interest:

The COG's governing body and RCJAC members must abstain from scoring, commenting, and voting on any application, other than a grant application submitted by the COG, during the prioritization process if they, or an individual related within the third degree by consanguinity or within the second degree by affinity, have one or more of the following conflicts of interest.

(Please answer each question)

Are you, or an individual related within the third degree by consanguinity or within the second degree by affinity, employed by the applicant agency and works for the unit or division that would administer the grant if awarded? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Do you, or an individual related within the third degree by consanguinity or within the second degree by affinity, serve on any governing board that oversees the unit or division that would administer the grant if awarded? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Do you, or an individual related within the third degree by consanguinity or within the second degree by affinity, own or control any interest in a business entity or other non-governmental organization that benefits, directly or indirectly, from activities with the applicant agency? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Will you, or an individual related within the third degree by consanguinity or within the second degree by affinity, receive any funds, or a substantial amount of tangible goods or routine services, from the applicant agency as a result of the grant, if awarded? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Attendance: (Maximum 15 Points)

Was a knowledgeable representative from the applicant agency available at the CJAC scoring meeting to present their project and address potential questions?

Management & Fiscal Capability: (Maximum 15 Points)

If funded, would the applicant/agency be able to provide the necessary resources to manage and carry out the project in an effective and fiscally responsible manner?

Local Priorities: (Maximum 10 Points)

Does the project address at least one local priority for the ATCOG region from the following list?

- ❖ 24-hour crisis intervention, legal advocacy, and counseling (staff counselor) to victims of domestic violence, sexual assault, stalking, dating violence, and human/sex trafficking and also provide shelter services and case management to the victims as necessary.
 - ❖ Provide a safe child-friendly atmosphere for child abuse victims, while fostering collaborative working relationships with investigative agencies, thus reducing the trauma experienced by child victims and their non-offending family member when interviewed and provide follow up services.
 - ❖ Legal Advocacy and/or assistance with protective order processing, court accompaniment, as well as assistance with Crime Victims' Compensation (CVC) and Texas Victim Information & Notification Everyday (VINE), in relation to violent crime victims.
 - ❖ Short-term housing assistance for victims of domestic violence and sexual assault, as well as other types of victims.
 - ❖ Educational programs, public awareness, school programs, and community involvement to increase awareness regarding child abuse, neglect, domestic violence, sexual assault, bullying, and dating violence.
-

Documentation of Problem:

Does this project avoid duplication or overlapping of existing resources or programs available within the project's proposed service area and target population? (Maximum 10 Points)

Does the supporting data validate the problem within the proposed target area? (Maximum 10 Points)

Cost and Program Effectiveness:

Are the activities to be conducted reasonable and will they adequately accomplish the goals of the project? (Maximum 10 Points)

Are the budget line items eligible and essential to meeting the goals of the project? (Maximum 10 Points)

Does the organization have a clear plan to generate, collect, and assess output and outcome measures to support evaluation of results? (Maximum 10 Points)

Does the project document coordinated collaboration with other agencies and/or organizations? (Maximum 10 Points)

Comments:

By entering your RCJAC member code below, you are certifying that the above scores are your own.

(ATCOG CJ Coordinator will issue each RCJAC member his/her confidential code prior to scoring.)

Office of Governor – Public Safety Office/CJD Applications

RCJAC Scoring Instrument

Name (of RCJAC Member):

Phone (of RCJAC Member):

(Drop down menu for fund source to be scored)

Funding Opportunity: **General Victim Assistance-Direct Services Program (VOCA)**

Applicant Agency:

Project Title:

Application Number:

Amount Requested:

Conflict of Interest:

The COG's governing body and RCJAC members must abstain from scoring, commenting, and voting on any application, other than a grant application submitted by the COG, during the prioritization process if they, or an individual related within the third degree by consanguinity or within the second degree by affinity, have one or more of the following conflicts of interest.

(Please answer each question)

Are you, or an individual related within the third degree by consanguinity or within the second degree by affinity, employed by the applicant agency and works for the unit or division that would administer the grant if awarded? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Do you, or an individual related within the third degree by consanguinity or within the second degree by affinity, serve on any governing board that oversees the unit or division that would administer the grant if awarded? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Do you, or an individual related within the third degree by consanguinity or within the second degree by affinity, own or control any interest in a business entity or other non-governmental organization that benefits, directly or indirectly, from activities with the applicant agency? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Will you, or an individual related within the third degree by consanguinity or within the second degree by affinity, receive any funds, or a substantial amount of tangible goods or routine services, from the applicant agency as a result of the grant, if awarded? (Yes or No selection) (If yes, RCJAC will not be allowed to go further in the scoring process.)

Attendance: (Maximum 15 Points)

Was a knowledgeable representative from the applicant agency available at the CJAC scoring meeting to present their project and address potential questions?

Management & Fiscal Capability: (Maximum 15 Points)

If funded, would the applicant/agency be able to provide the necessary resources to manage and carry out the project in an effective and fiscally responsible manner?

Local Priorities: (Maximum 10 Points)

Does the project address at least one local priority for the ATCOG region from the following list?

- ❖ 24-hour crisis intervention, legal advocacy, and counseling (staff counselor) to victims of domestic violence, sexual assault, stalking, dating violence, and human/sex trafficking and also provide shelter services and case management to the victims as necessary.
 - ❖ Provide a safe child-friendly atmosphere for child abuse victims, while fostering collaborative working relationships with investigative agencies, thus reducing the trauma experienced by child victims and their non-offending family member when interviewed and provide follow up services.
 - ❖ Legal Advocacy and/or assistance with protective order processing, court accompaniment, as well as assistance with Crime Victims' Compensation (CVC) and Texas Victim Information & Notification Everyday (VINE), in relation to violent crime victims.
 - ❖ Short-term housing assistance for victims of domestic violence and sexual assault, as well as other types of victims.
 - ❖ Educational programs, public awareness, school programs, and community involvement to increase awareness regarding child abuse, neglect, domestic violence, sexual assault, bullying, and dating violence.
-

Documentation of Problem:

Does this project avoid duplication or overlapping of existing resources or programs available within the project's proposed service area and target population? (Maximum 10 Points)

Does the supporting data validate the problem within the proposed target area? (Maximum 10 Points)

Cost and Program Effectiveness:

Are the activities to be conducted reasonable and will they adequately accomplish the goals of the project? (Maximum 10 Points)

Are the budget line items eligible and essential to meeting the goals of the project? (Maximum 10 Points)

Does the organization have a clear plan to generate, collect, and assess output and outcome measures to support evaluation of results? (Maximum 10 Points)

Does the project document coordinated collaboration with other agencies and/or organizations? (Maximum 10 Points)

Comments:

By entering your RCJAC member code below, you are certifying that the above scores are your own.

(ATCOG CJ Coordinator will issue each RCJAC member his/her confidential code prior to scoring.)

RESOLUTION NO. ABD23-05

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS TO REVIEW AND APPROVE REVISIONS OF THE REGIONAL CRIMINAL JUSTICE ADVISORY COMMITTEE (RCJAC) LOCAL PRIORITIES AND GRANT APPLICATION SCORING INSTRUMENTS.

WHEREAS, the Regional Criminal Justice Advisory Committee (RCJAC) is an advisory subcommittee of the ATCOG Board of Directors; and

WHEREAS, the local priorities and the scoring instruments are very important tools used by the RCJAC to review and score the criminal justice grant applications from PSO/CJD.

NOW, THEREFORE, BE IT RESOLVED BY THE ARK-TEX COUNCIL OF GOVERNMENTS:

Section 1 - That the ATCOG Board of Directors approves the local priorities and scoring instruments as shown in the attachment and previously recommended/approved by the RCJAC; and

Section 2 - That all other previous local priorities and scoring instruments adopted by the ATCOG Board of Directors are now null and void.

Section 3 - That this resolution is approved by majority vote in accordance with the bylaws of Ark-Tex Council of Governments and applicable law, and shall be in effect immediately upon its adoption.

REVIEWED AND APPROVED THIS 8TH DAY OF DECEMBER, 2022.

**L. D. Williamson, President
Board of Directors
Ark-Tex Council of Governments**

ATTEST:

BRIEFING PAPER

ITEM 11:

Review and approve continual use of the allocation formula for FY2023 as the method for allocating State Homeland Security Program (SHSP) funds to jurisdictions.

BACKGROUND:

The ATCOG HSAC, with Board approval, has allocated funds to jurisdictions in many different ways since the inception of the SHSP in 2003, including the use of scoresheets and discussions. The process of deciding allocations has been subjective rather than objective. During the last three years, ATCOG has utilized a risk-based formula to allocate funds to eligible jurisdictions. This formula was designed to provide all eligible applicants with funds, but did not fulfill the capability gaps of smaller jurisdictions in our region. The state requires HSAC to prioritize applications using a risk-informed methodology process. The proposed scoring process will score projects in several areas including risk and prioritization. Adopting ATCOG's scoring process would reflect the region's priorities and be in line with the State's principles.

DISCUSSION:

The ATCOG HSAC met on November 17, 2022, and discussed and reviewed the Risk Methodology and Allocation Process for FY23.

The scoring process will score projects equally in categories of risk, reasonableness, and priority level. The scoring process will allot additional points to applicants applying for regional projects, applicants who participated in the development of the THIRA/SPR/IP, the Annual Communication Exercise, the Special Events data call, as well as for applicants who did not receive funding the previous year grant year. Scores will be calculated, and projects will be prioritized/ranked by scores and recommended for funding in that rank order. Applicants who submit multiple projects must identify which is their primary project for ATCOG prioritization ranking; secondary projects and so on will be ranked at the bottom based on their score and will only be funded if enough funds are available after all primary projects are funded.

RECOMMENDATION:

Staff recommends approval.

Ark-Tex Council of Governments Homeland Security Allocation Process

The ATCOG Homeland Security Advisory Committee (HSAC) consists of emergency management coordinators, judges, mayors, fire chiefs, EMS directors, volunteer fire fighters, police chiefs, and representatives from the Texas Forest Service and Texas Department of Public Safety. Each of ATCOG’s nine counties is represented as well as the two major cities: The City of Texarkana and the City of Paris. The HSAC was created by Ark-Tex Council of Governments to advise the Board of Directors in all matters related to regional homeland security and to recommend to the Board of Directors plans and programs which improve the emergency response and recovery throughout the region which support and maintain the State of Texas Goals for Homeland Security in order to maximize effective and efficient use of resources.

Each year, ATCOG receives State Homeland Security Program funding to help prevent, mitigate, respond and recover from terrorism activities. ATCOG HSAC uses a scoring process to prioritize HSGD application.

The scoring process will score projects in categories of risk, reasonableness, and priority level, each category weighed equally. The scoring process will allot additional points to applicants applying for regional projects, applicants who participated in Development of the THIRA/SPR/IP, and applicants who did not receive funding the previous year grant year. Scores will be calculated, and projects will be prioritized/ranked by scores and recommended for funding in that rank order.

Up to 100pts	Up to 100pts	Up to 100pts	Bonus Points Awarded				
Risk	Reasonableness	priority level	Regional Project +5	Participated in Annual communication exercise +5	Participated in Special Events Data collection +5	participated in development of THIRA/SPR/IP +5	Did not received HSGD funding prior grant year +20

Grant Application Workshop

All grant applicants must attend the Grant Application Workshop in order to be eligible for grant funding.

The grant application workshop will include the following information:

- a. Who can apply and what activities are eligible under each funding opportunity
- b. Requirements for project problem statements with supporting data, goal statement, project activity explanations, current and target output and outcome measures, and budget categories and line items

- c. The project period for each funding opportunity
- d. Applicable rules, regulations, and certifications required
- e. Any prohibitions
- f. Civil rights rules related to applicant employees and projects or activities
- g. State strategies or funding preferences
- h. Potential jurisdictional funding allocations based on risk-based funding allocation formula
- i. Local policies and procedures that affect the COG's prioritization process
- j. Due dates for applicants to submit and certify applications

ATCOG Staff Review and HSAC Recommendation for Funding

Once all applications are received, the applications are reviewed by ATCOG staff to ensure completion and that all requested items are allowable. The HSAC reviews the projects to ensure all projects are in line with regional priorities (if applicable) and have met the regional eligibility requirement of 75% participation in the monthly ATCOG Communication Repeater Tests.

Applications are then scored via ballot in categories of risk, reasonableness, and priority level. The scoring process will allot additional points to applicants applying for regional projects, applicants whom participated in the Special Events data collection, Regional Communication Exercise, Development of the THIRA/SPR/IP, regional project, and applicants who did not receive funding the previous year grant year. Each HSAC member has plans and reports in possession and may bring these documents to the meeting for reference, but are not required. The committee's involvement provides an overarching knowledge of each jurisdiction within the region, which guides and aids the HSAC during the scoring of projects. Scores will be calculated and projects will be prioritized/ranked by scores and recommended for funding in that rank order.

ATCOG's project will be ranked as number (1) in the prioritization process and shall receive full funding. Any other special projects approved by the HSAC committee will be ranked as number (2) and so forth. LETPA projects will have priority funding until the 30% LEPTA threshold is met. Once met, the remaining LEPTA projects will resume ranking with the regular SHSP projects. In the event of a tie between two or more projects, the lowest rankings on each project involved will be dropped until the tie is broken. Applicants who submit multiple projects must identify which is their primary project for ATCOG prioritization ranking. Secondary projects will be ranked at the bottom based on their score and will only be funded if enough funds are available after all primary projects are funded. Only one project per jurisdiction will be funded out of ATCOG's Regional allocation, however jurisdictions may also apply for competitive state funding for projects with no limit, and these projects will not be scored by the HSAC committee. Any representative from the agency applying is prohibited from including his or her agency's project in the prioritization due to the conflict of interest policy in ATCOG's HSAC bylaws. All projects must be scalable. If the amounts of LETPA projects submitted do not meet the 25% LETPA requirement, ATCOG HSAC can increase the LETPA projects' amounts to meet the requirement.

Final Project Allocation

Following the committee meeting, the project allocation recommendation and prioritization results will be presented to the ATCOG Board of Directors for approval. Board approved prioritization will be submitted to the Office of the Governor for final determination. Once ATCOG receives official notification of State approved projects, all applicants will be notified via email

| ~~within three (3) business days.~~

RESOLUTION NO. ABD23-06

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS (ATCOG) APPROVING REVISIONS TO THE RISK METHODOLOGY AND ALLOCATION PROCESS FOR ALLOCATING STATE HOMELAND SECURITY PROGRAM (SHSP) FUNDS.

WHEREAS, the ATCOG Board of Directors and Homeland Security Advisory Committee finds it to be in the best interest to adopt a scoring process as the method for allocating FY2023 Homeland Security Grant Program funds to eligible jurisdictions; and

WHEREAS, the scoring process will score projects in categories of risk, reasonableness, and priority level; and

WHEREAS, the Scores will be calculated, and projects will be ranked by score from highest to lowest and recommended for funding in that rank order; and

WHEREAS, applicants who submit multiple projects must identify which is their primary project for ATCOG prioritization ranking; and

WHEREAS, secondary projects will be ranked at the bottom based on their score and will only be funded if enough funds are available after all primary projects are funded; and

WHEREAS, the approval of the revisions to the Risk Methodology and Allocation Process replaces the previous version.

NOW, THEREFORE, BE IT RESOLVED BY THE ARK-TEX COUNCIL OF GOVERNMENTS:

Section 1 - That the ATCOG Board of Directors approves the revisions to the Risk Methodology and Allocation Process for allocating State Homeland Security Program (SHSP) funds.

Section 2 - That the Executive Director, Chris Brown, has full authority to act on behalf of the ATCOG Board in all matters pertaining to the revisions to the Risk Methodology and Allocation Process for allocating State Homeland Security Program (SHSP) funds.

Section 3 - That this resolution is approved by majority vote in accordance with the bylaws of Ark-Tex Council of Governments and applicable law, and shall be in effect immediately upon its adoption.

REVIEWED AND APPROVED THIS 8TH DAY OF DECEMBER, 2022.

ATTEST:

**L. D. Williamson, President
Board of Directors
Ark-Tex Council of Governments**

BRIEFING PAPER

ITEM 12:

Review and consider approval of revisions to the Homeland Security Advisory Committee (HSAC) bylaws.

BACKGROUND:

The HSAC shall review the bylaws annually to keep the document current.

DISCUSSION:

The ATCOG Homeland Security Advisory Committee met on November 17, 2022, to review and approve revisions to the HSAC bylaws. Revisions were made under ARTICLE V- Regional Grant Process to clarify requirements for eligible colleges, universities, non-profit, and tribal organizations. The verbiage was added to clarify that these entities will need to coordinate with their county's EMC to ensure that applications align with their county or municipality emergency management plan. Due to ATCOG's Risk Methodology process, these entities will need to apply for funding with their respective county or municipality.

Revisions were also made to replace the one project per jurisdiction recommendation due to the restructure of reallocated funds and unknown regional allocations. The revision states: Applicants who submit multiple projects must identify which is their primary project for ATCOG prioritization ranking. Secondary projects will be ranked at the bottom based on their score and will only be funded if enough funds are available after all primary projects are funded. Jurisdictions may also apply for competitive state funding projects with no limit, and these projects will not be scored by the HSAC committee.

Additions under ARTICLE VI were added to include ATCOGS Civil Rights Policies. Additional changes were made to verbiage, replacing eligible/eligibility with recommended and removal of ATCOG's reallocation process because it no longer applies.

RECOMMENDATION:

Staff recommends approval.

**BYLAWS OF THE
ARK-TEX COUNCIL OF GOVERNMENTS (ATCOG)
HOMELAND SECURITY ADVISORY COMMITTEE (HSAC)**

ARTICLE I – NAME, PURPOSE, RESPONSIBILITIES

The name of the Committee shall be the Ark-Tex Council of Governments Homeland Security Advisory Committee (HSAC). The Homeland Security Advisory Committee was created by Ark-Tex Council of Governments to advise the Board of Directors in all matters related to regional homeland security and to recommend to the Board of Directors plans and programs which improve the emergency response and recovery throughout the region which support and maintain the State of Texas Goals for Homeland Security in order to maximize effective and efficient use of resources.

HSAC promotes strategies to prevent terrorism and other catastrophic events and to prepare our local communities for the threats and hazards that pose the greatest risk to their security and resilience. Grant funding assists local jurisdictions in building, sustaining, and delivering core capabilities to further the National Preparedness Goal which is, “A secure and resilient Nation with the capabilities required across the whole community to prevent, protect against, mitigate, respond to, and recover from the threats and hazards that pose the greatest risk.”

Guided by the framework established in the Texas Homeland Security Strategic Plan, HSAC supports investments in homeland security planning, organization, equipment, training, and exercises. Grant funding is used to address gaps identified through the annual State Preparedness Report (SPR) in achieving capability targets set through the annual Threat and Hazard Identification and Risk Assessment (THIRA). These assessments identify capability targets and Texas’ current ability to meet those targets. Precedence is given to high-priority core capabilities where significant gaps exist.

The Committee’s specific responsibilities are:

1. To assist ATCOG in carrying on a continuous planning program to identify Homeland Security problems; in determining the needs of the region; in analyzing the existing Homeland Security Regional Plan and available resources; and in establishing goals and priorities
2. To review and comment to the ATCOG Board of Directors on applications requesting state or federal homeland security funds
3. To advise ATCOG’s member cities, counties, and special districts, directly or through the ATCOG Board of Directors, on matters within their jurisdiction pertaining to homeland security.

ARTICLE II – MEMBERSHIP

Representation

The Committee shall be composed of the following members appointed by the ATCOG Board of Directors Chair:

One representative from each of the nine counties	9
One representative from the two largest cities in the region	2
One representative from both a city and a county law enforcement department	2
One representative from two different fire departments in the region	2
One representative from an emergency medical services provider	1
One representative from the Texas Forest Service	1
One Texas District Coordinator representing the ATCOG region	1
One Board of Directors Liaison	1
Total	19

Members will be appointed by the ATCOG Board of Directors Chair. The Committee may make recommendations to the ATCOG Board of Directors Chair to fill vacant membership seats. An ATCOG staff member shall serve as HSAC liaison and shall attend each HSAC meeting.

Qualifications

To be eligible for membership on the HSAC, a member must reside in or be employed by the city/county/company the member is to represent unless otherwise designated by the ATCOG Board of Directors. Members must possess experience and/or training in disaster planning or response.

Term

1. The term of membership of the HSAC shall be two (2) years and shall begin on the date of appointment by the ATCOG Board of Directors Chair.
2. In the case of a vacancy, the ATCOG Board of Directors Chair may appoint a replacement to serve for the remainder of the unexpired term.
3. A member may be removed for good cause by the ATCOG Board of Directors

Vacancy

A vacancy occurs when

1. a member dies; or
2. a member's term expires; or
3. a member resigns (resignations shall be in writing to the ATCOG HSAC liaison or the HSAC chair); or
4. a member is removed; or

5. a member no longer meets the qualification requirements

Attendance

1. Members are expected to attend all meetings
2. Attendance records documenting HSAC member absences will be maintained by the ATCOG HSAC liaison. If a member is unable to attend a scheduled meeting, notification must be provided to the HSAC liaison prior to the meeting. If a member is unable to attend a meeting, including funding prioritization meetings, the member may send a representative who assumes all but the voting rights and responsibilities of the member.
3. A member can be removed when, within one calendar year, he or she misses fifty percent (50%) of the regularly scheduled meetings held or two consecutive regularly scheduled meetings. The member will be notified in writing of such removal.
4. Members so removed may appeal in writing to the ATCOG Board of Directors Chair within two (2) weeks of the date of notification. Appeals will be dealt with in a timely manner and the member will be notified in writing of the decision.

ARTICLE III – OFFICERS

Election

The HSAC shall elect a Chair and Vice-Chair from among its members. Election of a Chair and a Vice-Chair will occur at the first meeting of the calendar year.

Term

Officers shall serve for a one-year period beginning on the date of election. Officers may serve a maximum of two (2) consecutive terms.

Vacancy

In the event an Officer is unable to fulfill his or her term, the HSAC shall elect a replacement at a regular or specially called meeting, who serves for the remainder of the unexpired term.

Duties

1. The Chair shall preside at all meetings of the HSAC.
2. In the case of a tie during a vote at which a quorum is present, the Chair will be deemed to have the authority to break the tie.
3. The Vice-Chair shall perform all the duties of the Chair in the case of absence or disability and such other duties as may arise, from time to time, when required or requested by the HSAC.

4. In case the Chair and Vice-Chair are absent or unable to perform their duties, the HSAC may appoint a Chair pro tem.

ARTICLE IV – MEETINGS

Regular

1. The HSAC shall meet at least quarterly on a day, time and place specified by the ATCOG Executive Director, the ATCOG HSAC liaison or the HSAC as a whole.
2. HSAC meetings can be conducted in person, via conference call, or via webinar as is allowable by the Texas Open Meetings Act.
3. Written notice, including an agenda, of each regular meeting shall be prepared by the ATCOG HSAC liaison and electronically transmitted to each HSAC member at least five (5) business days before the meeting date.

Special

1. The HSAC shall meet specially if called by the ATCOG Executive Director, the ATCOG HSAC liaison, the HSAC Chair or requested in writing by at least one-third of the membership, excluding vacancies, of the HSAC.
2. A request by the membership for a special meeting must be in writing, addressed to the Chair, and describe the purpose or purposes of the meeting. Only that business reasonably related to the purpose or purposes described in the request may be conducted at a special meeting.
3. Notice of any special meeting shall be given at least seventy-two (72) hours prior to the special meeting.
4. Special meetings can be conducted in person, via conference call, or via webinar as is allowable by the Texas Open Meetings Act.

Quorum and Action

1. One third of the total voting membership, excluding vacancies, constitutes a quorum for conducting HSAC business.
2. A majority vote of the members present at a meeting at which a quorum is present is necessary for action by the HSAC. During a meeting at which a quorum has been established, and then subsequently lost due to members leaving, all remaining business items requiring a HSAC vote or action must be postponed until next scheduled meeting at which a quorum is established.

Open Meetings and Records

1. All meetings of the HSAC shall be open to the public. The meetings are subject to the Texas Open Meetings Act and corresponding records are subject to the Texas Public Information Act. The HSAC Chair has the option of closing the

meetings when homeland security tactical issues are being discussed or when deemed necessary for confidentiality purposes.

2. Minutes of the HSAC meetings, documents distributed and other records are the property of ATCOG. The HSAC liaison shall keep the recordings of all the HSAC meetings according to the Local Government Records Control Schedule. These materials are available for public view, at the ATCOG offices, upon receipt of a written request by the interested party.
3. Except where these bylaws require otherwise, *Robert's Rules of Order* shall govern the conduct of HSAC meetings.

Conflict of Interest

1. A HSAC member who is a member of the governing body, an officer, or an employee of an applicant must abstain from voting on any grant application, other than the planning grant application submitted by the COG, during the prioritization process if the member or an individual related to the member:
 - a. Is employed by the applicant agency and works for the unit or division that would administer the grant, if awarded;
 - b. Serves on any governing board that oversees the unit or division that would administer the grant, if awarded;
 - c. Owns or controls any interest in a business entity or other non-governmental organization that benefits, directly or indirectly, from activities with the applicant agency; or
 - d. Receives any funds, or a substantial amount of tangible goods or routine services, from the applicant agency as a result of the grant, if awarded.
 - e. Members must abstain from voting of applications within their county.

The member is counted in determining the existence of a quorum.

2. A vote cast in violation of this section is not counted.

Professional Conduct

HSAC members should maintain objectivity and professionalism when carrying out business of the HSAC. In the event a HSAC member acts in a manner which brings the work of the HSAC into question or controversy, it shall be the responsibility of the ATCOG Executive Director to address the incident with the Chair of the ATCOG Board of Directors.

ARTICLE V – Regional Grant Process

Grant Application Workshop. All grant applicants must attend ATCOG Homeland Security Grant Application Workshop in order to be recommended eligible for grant funding. Grant Application Workshops must be conducted at least 14 calendar days prior to any COG imposed application submission deadline and 30 calendar days prior to the PSO/HSGD application submission deadline. If local requirements are not met, the application may or may not be recommended for funding by the HSAC committee.

The grant application workshop will include the following information:

- a. Who can apply and what activities are eligible under each funding opportunity
- b. Requirements for project problem statements with supporting data, goal statement, project activity explanations, current and target output and outcome measures, and budget categories and line items
- c. The project period for each funding opportunity
- d. Applicable rules, regulations, and certifications required
- e. Any prohibitions
- f. Civil rights rules related to applicant employees and projects or activities
- g. State strategies or funding preferences
- h. Potential jurisdictional funding allocations based on risk-based funding allocation formula
- i. Local policies and procedures that affect the COG's prioritization process
- j. Due dates for applicants to submit and certify applications

Grant Application Eligibility Requirements.

I. National Incident Management System (NIMS) Implementation - Grantees are required to implement NIMS. The NIMS uses a systematic approach to integrate the best existing processes and methods into a unified national framework for incident management across all homeland security activities including prevention, protection, response, mitigation, and recovery. Grantees must use standardized resource management concepts for resource typing, credentialing, and an inventory to facilitate the effective identification, dispatch, deployment, tracking and recovery of resources.

II. Emergency Management Plans (Intermediate Level) – Cities and counties must have a current emergency management plan or be a legally established member of an inter-jurisdictional emergency management program with a

plan on file with the Texas Department of Public Safety, Texas Division of Emergency Management (TDEM). Plans must be maintained throughout the entire grant performance period and must be at least at the Intermediate Level. If you have questions concerning your Emergency Management Plan (preparedness) level, contact your Emergency Management Coordinator (EMC) or your regional Council of Governments (COG). For questions concerning plan deficiencies, contact TDEM at tdem.plans@dps.texas.gov.

III. Criminal History Reporting –

Entities receiving funds from HSGD must be located in a county that has an average of 90% or above on both adult and juvenile dispositions entered into the computerized criminal history database maintained by the Texas Department of Public Safety (DPS) as directed in the Texas Code of Criminal Procedure, Chapter 60. The disposition completeness percentage is defined as the percentage of arrest charges a county reports to DPS for which a disposition has been subsequently reported and entered into the computerized criminal history system.

IV. Uniform Crime Reporting (UCR) –

Eligible applicants operating a law enforcement agency must be current on reporting Part I violent crime data to the Texas Department of Public Safety (DPS) for inclusion in the annual Uniform Crime Report (UCR). To be considered eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS for the most recent calendar year. Applicants must at the bare minimum operate a law enforcement agency (Police Department or Sheriff's Office) in order to comply with the Uniform Crime Reporting eligibility requirement.

V. National Cyber Security Review

Per the HSGP notice of funding, recipients and sub recipients of HSGD grant awards will be required to complete the Nationwide Cybersecurity Review (NCSR), enabling agencies to benchmark and measure progress of improving their cybersecurity posture.

ATCOG Eligibility Requirements

I. Application Workshop –

All grant applicants must attend ATCOG Homeland Security Grant Application Workshop in order to be ~~recommended~~ **eligible** for grant funding. Grant Application Workshops must be conducted at least 14 calendar days prior to any COG imposed application submission deadline and 30 calendar days prior to the PSO/HSGD application submission deadline.

II. ATCOG Regional Repeater Testing –

In order to ~~be recommended for funding~~~~remain eligible~~, eligible applicants must participate in a Regional Roll Call over the ATCOG Repeater channel utilizing the jurisdiction's Emergency Operations Center (EOC) at least 9 out of 12 months. A jurisdiction applying for grant funds that does not have an EOC, but has an agreement with another jurisdiction to use its EOC when needed, will still be considered eligible to receive funds as long as the jurisdiction possessing the EOC meets the participation requirement. A jurisdiction that is unable to participate in the roll call regardless of the reason but coordinates with ATCOG to complete the test individually within two (2) days will still be considered eligible to receive funds. All other situations resulting in a jurisdiction being unable to participate will be considered on a case-by-case basis.

III. Applicants must be within the ATCOG region to be ~~recommended eligible~~ to receive funding. The ATCOG region consist of: Bowie County, Cass County, Delta County, Franklin County, Hopkins County, Lamar County, Morris County, Red River County, and Titus County. Applicants outside of the ATCOG region who wish to apply for funding will be directed to the Council of Governments in their respective region for funding opportunities.

IV. Eligible colleges, universities, non-profit, and tribal organizations (with the exception of ATCOG) who wish to apply for Homeland Security funding through ATCOG ~~need to coordinate with their county's EMC to ensure that applications align with their county or municipality emergency management plan. Due to ATCOGS Risk Methodology process, these entities will need to apply for funding with their respective county or municipality. will be directed to the Emergency Management Coordinator in their county or municipality for their emergency preparedness needs.~~

If local requirements as listed above are not met, this application may or may not be recommended for funding by the HSAC committee.

ATCOG Staff Review and HSAC Recommendation for Funding

Once all applications are received, the applications are reviewed by ATCOG staff to ensure completion and that all requested items are allowable. The HSAC reviews the projects to ensure all projects are in line with regional priorities (if applicable) and have met ~~ATCOG local requirements. the regional eligibility requirement of 75% participation in the monthly ATCOG Communication Repeater Tests.~~

Applications are then scored via ballot in categories of risk, reasonableness, and priority level, each category weighted equally. The scoring process will allot additional points to applicants applying for regional projects, applicants whom participated in the Regional Communication Exercise and Development of the THIRA/SPR/IP, and applicants who did not receive funding the previous year grant year. Each HSAC member has plans and reports in possession and may bring these documents to the meeting for reference, but are not required. The committee's involvement provides an overarching knowledge of each jurisdiction within the region, which guides and aids the HSAC during the scoring of projects. Scores will

be calculated and projects will be prioritized/ranked by scores and recommended for funding in that rank order.

ATCOG's project will be ranked as number (1) in the prioritization process and shall receive full funding. Any other special projects approved by the HSAC committee will be ranked as number (2) and so forth. **LETPA projects will have priority funding until the 25% LEPTA threshold is met. Once met, the remaining LETPA projects will resume ranking with the regular SHSP projects.** In the event of a tie between two or more projects, the lowest rankings on each project involved will be dropped until the tie is broken. ~~Applicants who submit multiple projects must identify which is their primary project for ATCOG prioritization ranking. Secondary projects will be ranked at the bottom based on their score and will only be funded if enough funds are available after all primary projects are funded. Only one project per jurisdiction will be funded out of ATCOG's Regional allocation, however~~ Jurisdictions may also apply for competitive state funding projects with no limit, ~~and these projects will not be scored by the HSAC committee.~~ Any representative from the agency applying is prohibited from including his or her agency's project in the prioritization due to the conflict of interest policy in ATCOG's HSAC bylaws. All projects ~~should~~ **must** be scalable. **If the amounts of LETPA projects submitted do not meet the 30% LETPA requirement, ATCOG HSAC can increase the LETPA projects' amounts to meet the requirement. ATCOG has the ability to make funding decision with the Office of the Governor regarding reallocated funds under the amount of \$5,000, and regarding OOG conditionally Approved Amounts of sub recipients. Reallocation of funds over the amount of \$5,000 will be presented to the HSAC committee for scoring/voting.**

Final Project Allocation

Following the committee meeting, the project allocation recommendation and prioritization results will be presented to the ATCOG Board of Directors for approval. ~~Board approved prioritization will be submitted to the Office of the Governor for final determination. Once ATCOG receives official notification of State approved projects, all applicants will be notified via email within three (3) business days.~~

ARTICLE VI – AMENDMENT

By ATCOG Board of Directors

The ATCOG Board of Directors may amend these bylaws at a regular or special meeting. The written text of a proposed amendment must be included with the notice of the meeting at which the amendment will be considered.

By Homeland Security Advisory Committee

The HSAC may amend these bylaws at a regular or special meeting. The written text of a proposed amendment must be recorded at the meeting at which the amendments is discussed and voted upon. The written text of a proposed amendment must be included with the notice of the meeting at which the amendment will be considered. An amendment adopted by the HSAC is not effective unless approved by the ATCOG Board of Directors.

Effective Date

An amendment to the bylaws takes effect when approved by the ATCOG Board of Directors unless the amendment specifies a later effective date. Copies of amended bylaws will be distributed to the HSAC members by the HSAC liaison.

Review

The HSAC shall review the bylaws annually to keep the document current. HSAC amendment recommendations shall be taken before the ATCOG Board of Directors for final approval. If upon review of the bylaws no amendments are deemed necessary, then no further action is required.

Civil Rights Policies

➤ ATCOG has an Equal Employment Opportunity Plan in place and the ATCOG Human Resources Manager acts as the EEO Officer and is responsible for implementing the ATCOG EEO Program. Through the EEO Plan and the EEO Officer, employees are notified that ATCOG provides a work environment that is free from discrimination, including harassment, based on race, color, national origin, religion, creed, sex, age, genetic information, disability status, protected veteran status, sexual orientation, gender identity or expression.

- ATCOG's Homeland Security programs do not discriminate on the basis of race, color, national origin, religion, creed, sex, age, genetic information, disability status, protected veteran status, sexual orientation, gender identity or expression, or English proficiency.
- ATCOG's EEO Complaint Process (p.8 in ATCOG EEO Plan - on website) should be used when an ATCOG employee, or an individual that participates in (or benefits from) ATCOG's Homeland Security programs, files a complaint alleging discrimination on the basis of race, color, national origin, religion, creed, sex, age, genetic information, disability status, protected veteran status, sexual orientation, gender identity or expression, or English proficiency.
- ATCOG does not retaliate against the following individuals:
 - Persons who file discrimination complaints or lawsuits.
 - Persons who participate in discrimination proceedings as witnesses.
- ATCOG provides access to their criminal justice programs/activities to persons who have limited English proficiency (LEP) by using a language translation/interpretation service when necessary.

- ATCOG homeland security programs comply with the Equal Treatment for Faith-Based Organizations guidelines including efforts to ensure the programs do not use direct federal funding to engage in explicitly religious activities and that the program does not discriminate against program participants and/or vendors on the basis of religion or religious beliefs, a refusal to hold a religious belief, or a refusal to participate in a religious practice.

RESOLUTION NO. ABD23-07

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS APPROVING REVISIONS TO THE HOMELAND SECURITY ADVISORY COMMITTEE (HSAC) BYLAWS.

WHEREAS, the Homeland Security Advisory Committee (HSAC) is an advisory subcommittee of the ATCOG Board of Directors; and

WHEREAS, the bylaws of the committee regulate committee affairs and the behavior of its members.

NOW, THEREFORE, BE IT RESOLVED BY THE ARK-TEX COUNCIL OF GOVERNMENTS:

Section 1 - That the ATCOG Board of Directors approves the revisions to the Homeland Security Advisory Committee (HSAC) bylaws.

Section 2 - That the Executive Director, Chris Brown, has full authority to act on behalf of the ATCOG Board in all matters pertaining to revisions to the Homeland Security Advisory Committee (HSAC) bylaws.

Section 3 - That this resolution is approved by majority vote in accordance with the bylaws of Ark-Tex Council of Governments and applicable law, and shall be in effect immediately upon its adoption.

REVIEWED AND APPROVED THIS 8TH DAY OF DECEMBER, 2022.

**L. D. Williamson, President
Board of Directors
Ark-Tex Council of Governments**

ATTEST:

BRIEFING PAPER

ITEM 13:

Review and consider approval of the Ark-Tex Council of Governments' (ATCOG) Threat and Hazard Identification and Risk Assessment (THIRA), State Preparedness Report (SPR), and the Homeland Security Implementation Plan for 2023.

BACKGROUND:

The State requires that each Council of Governments revise and submit their THIRA, SPR, and Regional Implementation Plan annually. The three documents are all interrelated and provide an overview of the threats, risks, and resources in the ATCOG region. These documents ensure that ATCOG is fully integrated into the State of Texas Homeland Security Strategic Plan and has identified resources necessary to achieve homeland security preparedness goals for fiscal year 2023.

DISCUSSION:

These documents do not replace any existing Regional Plans, Mutual Aid Agreements or strategies. Rather, it incorporates those existing plans, agreements and strategies. Also, this plan does not preclude the use or activation of any existing plans or agreements that an individual county may have with an entity that is outside the boundaries of the ATCOG.

RECOMMENDATION:

Staff recommends approval.

RESOLUTION NO. ABD23-08

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS APPROVING THE ARK-TEX COUNCIL OF GOVERNMENTS' (ATCOG) THREAT AND HAZARD IDENTIFICATION AND RISK ASSESSMENT (THIRA), STATE PREPAREDNESS REPORT (SPR), AND THE HOMELAND SECURITY IMPLEMENTATION PLAN FOR 2023.

WHEREAS, these documents align with and support the intent of the general homeland security strategy for the State established by the Governor in the Texas Homeland Security Strategic Plan; and

WHEREAS, these documents ensure that the Ark-Tex Council of Governments is fully integrated into the State of Texas Homeland Security Strategic Plan, and has identified the resources necessary to achieve homeland security preparedness goals for fiscal year 2023; and

WHEREAS, the approval of the Ark-Tex Council of Governments Threat and Hazard Identification and Risk Assessment, State Preparedness Report and Implementation Plan is to set forth our homeland security preparedness and identify time, funds, equipment, organization, planning, training, and exercises required to implement the plan; and

WHEREAS, these documents do not replace any existing Regional Plans, Mutual Aid Agreements, or strategies but rather incorporate those existing plans, agreements, and strategies.

NOW, THEREFORE, BE IT RESOLVED BY THE ARK-TEX COUNCIL OF GOVERNMENTS:

Section 1 - That the ATCOG Board of Directors approves the Ark-Tex Council of Governments' (ATCOG) Threat and Hazard Identification and Risk Assessment (THIRA), State Preparedness Report (SPR), and the Homeland Security Implementation Plan for 2023.

Section 2 - That the Executive Director, Chris Brown, has full authority to act on behalf of the ATCOG Board in all matters pertaining to Ark-Tex Council of Governments' (ATCOG) Threat and Hazard Identification and Risk Assessment (THIRA), State Preparedness Report (SPR), and the Homeland Security Implementation Plan for 2023.

Section 3 - That this resolution is approved by majority vote in accordance with the bylaws of Ark-Tex Council of Governments and applicable law, and shall be in effect immediately upon its adoption.

REVIEWED AND APPROVED THIS 8TH DAY OF DECEMBER, 2022.

**L. D. Williamson, President
Board of Directors
Ark-Tex Council of Governments**

ATTEST:

RESOLUTION NO. ABD23-09

RESOLUTION OF THE BOARD OF DIRECTORS OF THE ARK-TEX COUNCIL OF GOVERNMENTS RECOGNIZING DECEMBER AS BROADBAND AWARENESS MONTH FOR THE ATCOG REGION.

WHEREAS, the Ark-Tex Council of Governments (ATCOG) is a political subdivision of the State serving Bowie, Cass, Delta, Franklin, Hopkins, Lamar, Morris, Red River, and Titus, Texas counties and Miller County, Arkansas; and

WHEREAS, ATCOG will be working to measure actual broadband speeds and collect applicable data through digital surveys for the region; and

WHEREAS, the results will be available to all Internet Service Providers, Public Officials, and other interested parties; and

WHEREAS, the results will also be used to confirm or challenge the newly released FCC National Broadband Maps.

NOW, THEREFORE, BE IT RESOLVED BY THE ARK-TEX COUNCIL OF GOVERNMENTS:

Section 1 - That the Board recognizes December as Broadband Awareness Month for the ATCOG Region.

Section 2 - That the Board encourages all member Cities, Counties, School Districts, and other interested groups to adopt similar resolutions in support of the ATCOG digital surveys and share through their established means of communication.

Section 3 - That the Board encourages all residents to participate in the digital surveys and share the survey via social media and other avenues.

Section 4 - That this resolution is approved by majority vote in accordance with the bylaws of Ark-Tex Council of Governments and applicable law and shall be in effect immediately upon its adoption.

REVIEWED AND APPROVED THIS 8TH DAY OF DECEMBER, 2022.

**L. D. Williamson, President
Board of Directors
Ark-Tex Council of Governments**

ATTEST:

BRIEFING PAPER

ITEM 15:

Review and consider approval of the removal of a current signature authority and approval of new additional signature authorities for Guaranty Bank and Trust.

BACKGROUND:

The Ark-Tex Council of Governments (ATCOG) Board of Directors approved selection of Guaranty Bank & Trust to provide banking services effective October 1, 2020. Currently, the approved signature authorities on ATCOG bank accounts are Judge L.D. Williamson, ATCOG Board President; Chris Brown, ATCOG Executive Director; and Mary Beth Rudel, ATCOG Deputy Director. Judge L.D. Williamson is retiring December 31, 2022, thereby creating the need to designate a new person to act in this capacity.

DISCUSSION:

In September 2022, at the annual meeting, the Board of Directors appointed Board Officers: Judge Travis Ransom, Secretary (effective October 1, 2022); Judge Scott Lee, Treasurer (effective October 1, 2022); Judge Bobby Howell, Board President (effective January 1, 2023), and Scott Norton, Board Vice President (effective January 1, 2023).

ATCOG requests that signature authority be granted to the new officers as well as ATCOG staff members Melinda Tickle, Finance Director, and Debbie Purifoy, Purchasing and Compliance Officer, to be effective January 1, 2023.

If approved, these individuals will have the authority to conduct banking business and sign checks and documents for Guaranty Bank and Trust on behalf of ATCOG.

The addition of these individuals ensures a smooth transition between the transfer of leadership of the ATCOG Board and provides for continuity of operations should the Executive Director and Deputy Director be unavailable at the same time.

RECOMMENDATION:

Staff recommends approval.

RESOLUTION ABD23-10

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS (ATCOG) APPROVING THE REMOVAL OF A CURRENT SIGNATURE AUTHORITY AND THE ADDITION OF NEW SIGNATURE AUTHORITIES FOR GUARANTY BANK AND TRUST.

WHEREAS, the Ark-Tex Council of Governments is a Regional Planning Commission established pursuant to the authority granted by Chapter 391 of the Local Government Code (formerly Article 1011m, Revised Civil Statutes of Texas), and Arkansas Interlocal Cooperation Act 430; and

WHEREAS, the Ark-Tex Council of Governments' Board of Directors approved selection of Guaranty Bank & Trust to provide banking services effective October 1, 2020; and

WHEREAS, Judge L.D. Williamson, ATCOG Board President, who has authority to transact banking business and signatory authority for checks and bank documents, is retiring December 31, 2022, thereby creating the need to designate a new person to act in this capacity; and

WHEREAS, the new ATCOG Board President, effective January 1, 2023, Judge Bobby Howell, needs approval to conduct banking business and authority to sign checks and documents; and

WHEREAS, additional Board Officers will be added to the accounts effective January 1, 2023: Scott Norton, Board Vice President; Judge Scott Lee, Board Treasurer, and Judge Travis Ransom, Board Secretary; and

WHEREAS, additional ATCOG staff members will be added to the accounts effective January 1, 2023: Melinda Tickle, Finance Director, and Debbie Purifoy, Purchasing and Compliance Officer.

NOW, THEREFORE, BE IT RESOLVED BY THE ARK-TEX COUNCIL OF GOVERNMENTS:

Section 1 - That L.D. Williamson is removed as signature authority at Guaranty Bank and Trust, effective January 1, 2023.

Section 2 - That Judge Bobby Howell, Scott Norton, Judge Scott Lee, Judge Travis Ransom, Melinda Tickle, and Debbie Purifoy are approved as new signatory authorities at Guaranty Bank and Trust, with authority to conduct banking business and sign documents for ATCOG effective January 1, 2023.

Section 3 - That this resolution is approved by majority vote in accordance with the bylaws of Ark-Tex Council of Governments and applicable law, and shall be in effect immediately upon its adoption.

REVIEWED AND APPROVED THIS 8TH DAY OF DECEMBER, 2022.

L. D. Williamson, President
Ark-Tex Council of Governments

ATTEST:

BRIEFING PAPER

ITEM 16:

Review and consider approval of revisions to the Ark-Tex Council of Governments (ATCOG) Accounting Policies and Procedures.

BACKGROUND

The Board of Directors is required to approve all revisions to the ATCOG Accounting Policies and Procedures.

DISCUSSION

The following revisions to the **Accounting Policy and Procedures** are being proposed:

ACCOUNTS PAYABLES SECTION

Check Preparation – this revision removes the statement that checks will be stamped with the authorized board member’s signature in an effort to prevent fraudulent activity.

Check Signing – this revision adds the Finance Director and Purchasing & Compliance Officer as authorized check signers and removes the statement that one signature is stamped.

If approved, these revisions would be effective January 1, 2023.

RECOMMENDATION

Staff recommends approval.

ACCOUNTS PAYABLE

DISBURSEMENTS

1. Invoices are received from the US mail, from interoffice mail, or from email.
2. The Accounting Assistant or the Accounting Specialist prepares the disbursement voucher for payment as follows:
 - A. Vendor's Name and Address
 - B. Transaction Amount
 - C. Description of Payment
 - D. Vendor Number
 - E. Purchase Order Number or Invoice Date
 - F. Account Coding
 - G. Attachments:
 - a. Invoice
 - b. Purchase Order
 - c. Requisition and supporting documents
 - H. Date and signature of preparer
3. The Accounting Assistant enters all the prepared information into the system.
4. The Accounting Assistant compares the disbursements to the Invoices to be Paid report.
5. Disbursements are posted.

CHECK PREPARATION

Accounts Payable checks are processed on a regular basis, normally once a week. Checks are prepared by the Accounting Assistant who is independent of those who initiate or approve expenditures, reconcile bank accounts, or sign checks.

All checks are produced in accordance with these guidelines:

1. Expenditures will be supported with documentation in compliance with purchasing and accounts payable policies.
2. If possible, all vendors will be paid within thirty days of submitting a proper invoice after delivery or the requested goods and/or services.
3. Contractors and subrecipients will be paid in accordance with contract terms and the availability of funds from grantor agencies.
- ~~4. Checks will be stamped with the authorized board member's signature.~~
- 5.4. All supporting documentation is attached to the corresponding check prior to forwarding to an authorized check signer.

CHECK SIGNING

The Executive Director, ~~and the Deputy Director,~~ Finance Director, and Purchasing & Compliance Officer are the authorized signers at ATCOG. All checks require two signatures, ~~but one is stamped.~~

Check signers shall thoroughly examine the check and all supporting documentation to ensure that each item has been properly checked prior to signing the check. Checks should not be signed if documentation is missing or there are questions about a payment.

ELECTRONIC FUNDS TRANSFER (EFT)

Identical procedures are followed for EFT payments as those for checks with the exception that a payment voucher is attached to the documentation instead of a check. The EFT file is sent to the bank by the Finance Director or their designee and reviewed and approved by another designated employee.

POSITIVE PAY

ATCOG utilizes a positive pay system with our financial institution for all checks drawn on the Planning and ATUT accounts. Each week after Accounts Payable are run, the Finance Director or their designee electronically submits a list of check numbers, amounts, and the vendor to the financial institution. The financial institution then notifies ATCOG if a check is presented that has not been submitted or does not match the three characteristics of the valid checks.

MAILING OF CHECKS

After signature and approval, checks are returned to the Accounting Assistant for mailing. With the exception of checks to employees, no checks will be picked up by the vendor. All checks will be delivered by U.S Mail, FedEx, or UPS.

VOIDED CHECKS OR STOP PAYMENTS

Checks may be voided due to processing errors by following the Void Check procedures of the software, marking the check VOID, and printing the Void Check Report. The report should be attached to the check and filed.

Stop payment orders may be made for checks lost in the mail or for other valid reasons. Stop payments are processed through the financial institution's mobile banking website. A copy of the order is printed and filed.

INDEPENDENT CONTRACTORS

A completed W-9 will be obtained by all vendors to whom payments are made. The Accounting software will keep a record of all vendors requiring a Form 1099 at year end. These will be mailed or emailed each January.

BRIEFING PAPER

ITEM 17:

Review and consider authorizing the Executive Director to enter into a contract to complete renovations at the Paris office building.

BACKGROUND:

In February 2021, the ATCOG Board of Directors approved the purchase of a building and property for the ATCOG transportation program to house and secure vehicles and to provide needed dispatch, driver, administrative, and public lobby facilities. ATCOG purchased a building with the intent to renovate the building to fit operational needs. ATCOG procured an architect in the fall of 2021 to complete the design of the renovations and see the project through to completion.

DISCUSSION:

In August 2022, ATCOG conducted a Request for Best Value Bids to procure a contractor to complete the renovation project and received one bid. ATCOG staff reviewed the bid for compliance and discussed the results with the Architect. ATCOG did not receive clear communication or justification for the proposal's large, estimated costs. Therefore, ATCOG did not accept the bid. ATCOG then consulted with the funding source, made some revisions to the building's plans and specs, and readvertised again in November. ATCOG has now received _____ bids, Inc to complete the project. The bids were reviewed, and ATCOG is requesting approval to proceed with a contract with _____ not to exceed _____. Funding for the renovations will be provided through the Federal Transit Administration. All federal, state, and local regulations were and will continue to be followed during the procurement process.

RECOMMENDATION:

Staff recommends approval.

RESOLUTION NO. ABD23-02

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS (ATCOG) AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACT TO COMPLETE RENOVATIONS AT THE PARIS OFFICE BUILDING.

WHEREAS, in February 2021, the ATCOG Board of Directors approved the purchase of a building and property for the ATCOG transportation program to house and secure vehicles and to provide needed dispatch, driver, administrative and public lobby facilities; and

WHEREAS, ATCOG purchased a building with the intent to renovate the building to fit operational needs; and

WHEREAS, ATCOG procured an architect in the fall of 2021 to complete the design of the renovations and see the project through to completion; and

WHEREAS, in August 2022, ATCOG conducted a Request for Best Value Bids to procure a contractor to complete the renovation project and received one bid, but rejected due to large estimated costs; and

WHEREAS, ATCOG rebid the project in November and has selected _____ to complete the project with a the contract not to exceed _____; and

WHEREAS, Funding for the renovations will be provided through the Federal Transit Administration; and

WHEREAS, all federal, state and local regulations were followed during the procurement process.

NOW, THEREFORE, BE IT RESOLVED BY THE ARK-TEX COUNCIL OF GOVERNMENTS:

Section 1 - That the Board of Directors authorizes the Executive Director enter into a contract with _____ not to exceed _____ to complete renovations at the Paris office building.

Section 2 - That the Executive Director, Chris Brown, has full authority to act on behalf of the ATCOG Board in all matters pertaining to the contract.

Section 3 - That this resolution is approved by majority vote in accordance with the bylaws of Ark-Tex Council of Governments and applicable law, and shall be in effect immediately upon its adoption.

REVIEWED AND APPROVED THIS 8TH DAY OF DECEMBER, 2022.

ATTEST:

**L. D. Williamson, President
Board of Directors
Ark-Tex Council of Governments**

Draft Agenda

National Association of Development Organizations (NADO) and Development District Association of Appalachia (DDAA)

Washington Conference March 12-15, 2023
Crystal Gateway Marriott | Arlington, VA

Sunday, March 12, 2023

10:00 a.m. – 5:30 p.m. Registration

10:30 a.m. – 12:00 p.m. NADO Research Foundation Advisory Committee Meeting - **NADO**

1:00 – 3:00 p.m. DDAA Executive Board Meeting - **DDAA**

1:00 – 3:00 p.m. NADO Executive Committee Meeting - **NADO**

3:30 – 5:30 p.m. NADO Board of Directors Meeting - **NADO**

5:30 – 6:30 p.m. Opening Reception

6:30 – 8:00 p.m. DDAA Dinner Banquet – **DDAA**

Monday, March 13, 2023

NOTE: Concurrent sessions on Monday are open to attendees from either NADO or DDAA. Session topics are listed by organization for their relevance to their respective members.

7:30 a.m. – 5:30 p.m. Registration

7:45 – 9:00 a.m. DDAA Breakfast and Annual Business Meeting - **DDAA**

9:15 – 10:30 a.m. Opening Plenary Session

10:45 a.m. – 12:00 p.m. Concurrent Sessions

Breakout A: NADO

Breakout B: NADO

Breakout C: DDAA

Breakout D: Joint

12:15 – 1:30 p.m. Plenary Luncheon

1:45 – 3:00 p.m. Concurrent Sessions

Breakout A: NADO

Breakout B: NADO

Breakout C: DDAA

Breakout D: Joint

3:30 – 4:30 p.m. Regional Chapter Meetings

4:30 – 6:00 p.m. Federal Agency Networking Event

Tuesday, March 14, 2023

8:00 a.m. – 4:30 p.m. Registration

8:00 a.m. – 9:00 a.m. DDAA Networking Breakfast- **DDAA**

9:15 a.m. – 10:15 a.m. Plenary Session

10:30 a.m. – 5:00 p.m. Hill Visits (on your own) - **NADO**

NOTE: Attendees are encouraged to spend this open block of time on Capitol Hill educating your members of Congress about your work. Hill visits are self-directed. If you need help securing contact information for Hill staffers and schedulers, please contact Jamie McCormick at jmccormick@nado.org. Please note that Congress may not be in session the week of March 12, 2023, however this event still lends a great opportunity to spend time on Capitol Hill and meet with Hill staffers. The Congressional calendar will be released in early 2023.

10:30 a.m. - 11:45 a.m. Concurrent Breakout Sessions - **DDAA**

Breakout A: DDAA

Breakout B: DDAA

11:45 a.m. – 1:15 p.m. Lunch on your own

1:30 p.m. – 2:45 p.m. Concurrent Breakout Sessions – **DDAA**

Breakout A: DDAA

Breakout B: DDAA

3:00 p.m. – 4:15 p.m. Concurrent Breakout Sessions - **DDAA**

Breakout A: DDAA

Breakout B: DDAA

4:30 p.m. – 6:00 p.m. Reception

Wednesday, March 15, 2023

8:00 – 10:00 a.m. Registration

8:30 – 9:45 a.m. Plenary Breakfast

10:00 – 11:00 a.m. Closing Plenary Session

12:00 – 5:00 p.m. Post-conference training for the Economic Development District Community of Practice – *Separate registration required*