

**JOINT AGENDA
NORTHEAST TEXAS ECONOMIC DEVELOPMENT DISTRICT AND
ARK-TEX COUNCIL OF GOVERNMENTS EXECUTIVE COMMITTEE MEETING
February 29, 2024**

The Northeast Texas Economic Development District (NETEDD) and the Executive Committee of the Ark-Tex Council of Governments (ATCOG) will meet at 10:00 a.m., Thursday, February 29, 2024, at the Northeast Texas Small Business Development Center, located at 105 North Riddle, 2nd Floor, Mount Pleasant, Texas, and via videoconference.

If attending via Zoom, use the following information to register for the meeting:
<https://us06web.zoom.us/meeting/register/tZwpcu6uqD8uGtwagIP5Ok71oldnGUgOCa3k>

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.

NETEDD Agenda Items

Item 4. Review and consider approval of the minutes as submitted for the NETEDD meeting held on Thursday, December 7, 2023. (See page 3)

Item 5. Project Update. (For information only, see page 9; to be presented by staff member Toni Lindsey)

Item 6. Review and consider approval of revisions to the NETEDD Articles of Incorporation and bylaws. (See page 15; to be presented by Deputy Director Leslie McBride)

This concludes all NETEDD Agenda Items.

ATCOG Executive Committee Agenda Items

Item 7. Review and consider consent agenda items. (To be presented by Executive Director Mary Beth Rudel)

- Approval of the minutes as submitted for the ATCOG Executive Committee Meeting held Thursday, January 25, 2024. (See page 34)
- Ratification of the participation agreement between ATCOG and Frontier Energy, Inc., for the AEP Power Company Targeted Low-Income Program. (See page 39)

Regular Business

- Item 8. Review and consider approval of a nominee to serve on the Texas Community Development Block Grant Unified Scoring Committee. (See page 46; to be presented by Executive Director Mary Beth Rudel)
- Item 9. Review and consider approval of the submission of the following applications for FY24 State Homeland Security Program grant funds through the Office of the Governor Homeland Security Grant Division. (See page 48; to be presented by staff member Whitney Fezell)
- ATCOG Planning, Training and Exercises project - \$96,000
 - ATCOG Regional Law Enforcement Planning Training project - \$76,000
- Item 10. Review and consider approval of prioritization of 2024 Homeland Security Grant Program funds. (See page 50; to be presented by staff member Whitney Fezell)
- Item 11. Review and consider approval of the submission of the applications for FY24 Statewide Emergency Radio Infrastructure grant funds through the Office of the Governor Public Safety Office Homeland Security Grant Division. (See page 53; to be presented by staff member Whitney Fezell)
- Item 12. Review and consider approval of the submission of a grant application to the Office of the Governor Public Safety Office Criminal Justice Division. (See page 56; to be presented by staff member Patricia Haley)
- Item 13. Review and consider approval of the list of representatives as reappointments/appointments to serve on the Regional Criminal Justice Advisory Committee through December 31, 2025. (See page 58; to be presented by staff member Patricia Haley)
- Item 14. Review and consider approval of the submission of an application for Rural Business Development Grants Revolving Loan Funds grant to the United States Department of Agriculture. (See page 63; to be presented by staff member Toni Lindsey)

Announcements

The next ATCOG Board of Directors meeting will be held Thursday, March 28, 2024, 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 videoconference.

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.

**JOINT MINUTES
NORTHEAST TEXAS ECONOMIC DEVELOPMENT DISTRICT AND
ARK-TEX COUNCIL OF GOVERNMENTS BOARD OF DIRECTORS MEETING
December 7, 2023**

The Northeast Texas Economic Development District (NETEDD) and the Board of Directors of the Ark-Tex Council of Governments (ATCOG) Board of Directors met at 10:00 a.m., Thursday, December 7, 2023, at the Northeast Texas Small Business Development Center, located at 105 North Riddle, 2nd Floor, Mount Pleasant, Texas, and via videoconference.

Item 1. Bobby Howell, Judge, Bowie County, called the meeting to order.

Item 2. Chris Brown, a Board Member of Hopkins County Hospital District, gave the invocation.

Item 3. Public Comment.

No member of the public made a comment.

Judge Howell recognized the following new Board member(s):

- Mandeep Chatha-Homer, Paris Independent School District

NETEDD Agenda Items

Item 4. The first order of business was to review and consider approval of the minutes as submitted for the NETEDD meeting held on Thursday, September 28, 2023.

Motion to approve was made by Stan Wyatt, NETX Municipal Water District Board of Directors, and seconded by Lowell Walker, Mayor, City of DeKalb. It was approved.

Item 5. Ms. Toni Lindsey presented for consideration approval for the ATCOG Executive Director to apply for the NETEDD 3-Year Planning Grant through the U.S. Department of Commerce Economic Development Administration (EDA).

This 3-year grant is renewed as a new application effective January 1, 2024, through December 31, 2026, with Federal funds allocated at \$210,000 and an in-kind match requirement of \$140,000, a total amount of \$350,000.

This grant will allow NETEDD to continue working with the Comprehensive Economic Development Strategy (CEDS) committee to update the current five-year CEDS.

Motion to approve was made by Mayor Walker and seconded by Stan Wyatt. It was approved.

This concluded all NETEDD agenda items.

ATCOG Board of Directors Agenda Items

Item 6. Ms. Mary Beth Rudel presented for review and consideration approval of the consent agenda items.

- Approval of the minutes as submitted for the ATCOG Board of Directors Meeting held Thursday,

September 28, 2023.

- Acceptance of the minutes as submitted for the ATCOG Homeland Security Advisory Committee meeting held Thursday, November 16, 2023.
- Acceptance of the minutes as submitted for the ATCOG Regional Criminal Justice Advisory Committee meeting held Thursday, November 16, 2023.

Motion to approve was made by Stan Wyatt and seconded by Mayor Walker. It was approved.

Regular Business

Item 7. Ms. Mary Beth Rudel presented for review and consideration approval of a new additional signature authority for Guaranty Bank and Trust.

ATCOG named a new Deputy Director on November 1, 2023, creating the need to designate signature authority to the staff member. ATCOG requests that signature authority be granted to ATCOG staff member Leslie McBride, Deputy Director, to be effective upon approval.

Upon approval, Ms. McBride will have the authority to conduct banking business and sign checks and documents for Guaranty Bank and Trust on behalf of ATCOG.

Motion to approve was made by Stan Wyatt and seconded by Mayor Walker. It was approved.

Item 8. Ms. Leslie McBride presented for review and consideration approval of revisions to the ATCOG Policies and Procedures Manual.

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

- 15.03 Employee Performance Reviews – This revision reflects the change to when employee performance reviews will be conducted.
- 17.04 Overnight Travel – This revision provides guidance to staff using Transportation Network Companies, such as Uber or Lyft, while traveling by commercial air transportation.
- 17.07 Non-Reimbursable Expenses – This addition supports the above policy revision to 17.04 Overnight Travel.

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

Motion to approve was made by Stan Wyatt and seconded by Mayor Walker. It was approved.

Item 9. Ms. Debbie Purifoy presented for review and consideration approval of the revised ATCOG Procurement Policy and Procedure Manual.

The following revisions and the reformatting of the procurement policy and procedures manual were proposed:

- Page 17 - Introduction - Paragraph Three has been added to the introduction.
- Page 22 - Part C: Definition of Terms - The following have been updated: Bidder's List, Contract DBE, HUB (Texas Administrative Code 34 Rule 20.282), Micro-Purchase, Modification,

Respondent (added), Offender(removed).

- Page 28 - Article II 2.3 Compliance and Purchasing Officer - Duties have been updated. The title of Compliance and Purchasing Officer has been updated throughout the document.
- Page 29 - Article II 2.5 Pre-Commitment Documents - Contract Action Notices and Interlocal Agreements have been removed; Vendor name addresses have been added.
- Page 30 - Article II 2.8 Restrictive Competition Practices Prohibited - Geographic Preference when using grant funds has been added (2 CFR 200.322).
- Page 32 - Article III 3.0.1 Micro-Purchase - References have been added for clarification (48 CFR Subpart 2.1) Texas Administrative Code Title 43 Part 1 Chapter 31 D 31.44 (B)
- Page 32 - Article III 3.0.2 Competitive Small Purchase - via mail and fax has been removed.
- Page 34 - Article IV Elements of The Sealed Solicitation Process - Has been added.
- Page 37 - Article IV 4.11 Submission - This has been revised to include Electronic submission responses (Texas Government Code Chapter 252.0145).
- Page 55 - Article VIII 8.2 Purchases that may NOT be made with a Credit/Charge Card - Office Supplies and Technology have been removed from the list of items.
- Page 60 - Article IX 9.3 Cooperative and Interlocal Agreements - The resource list has been revised to include Texas Smart Buy, HGAC, and TIPS.
- Page 65 - Article X Construction Related Contracts - The revised paragraph includes updated Davis Bacon regulations (29 CFR 5).
- Page 91 - Article XVIII Supplements - This has been added as a guide for Request for Qualifications and a guide for Request for Information.

Motion to approve was made by Stan Wyatt and seconded by Mayor Walker. It was approved.

Item 10. Ms. Whitney Fezell presented for review and consideration approval of the ATCOG Threat and Hazard Identification and Risk Assessment (THIRA), State Preparedness Report (SPR), and the Homeland Security Implementation Plan for 2024.

The State requires each Council of Governments to revise and submit its 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 2024.

Motion to approve was made by Mayor Walker and seconded by Chris Brown. It was approved.

Item 11. Ms. Whitney Fezell presented for review and approval of the continual use of the allocation formula for FY2024 as the method for allocating State Homeland Security Program (SHSP) funds to jurisdictions.

During the last three years, ATCOG has been utilizing 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.

Motion to approve was made by Mayor Walker and seconded by Stan Wyatt. It was approved.

Item 12. Ms. Whitney Fezell presented for review and consideration approval of revisions to the Homeland Security Advisory Committee (HSAC) bylaws.

The ATCOG Homeland Security Advisory Committee met on November 16, 2023, to review and approve revisions to the HSAC bylaws. The following changes were made as follows:

- Article II Membership – This revision adds one representative from a State Agency and updates the District Coordinator to the District Chief.
- Article IV Meetings – This revision changes the written meeting notice from 5 to 3 days to correspond with the Texas Open Meetings Act.

Motion to approve was made by Mayor Walker and seconded by Stan Wyatt. It was approved.

Item 13. Ms. Patricia Haley presented for review and consideration approval of the revisions to the Regional Criminal Justice Advisory Committee (RCJAC) Bylaws.

The RCJAC conducts an annual review of the current RCJAC Bylaws. Amendments were necessary for FY24. The Bylaws were reviewed, amendments were discussed, and the RCJAC approved recommendations. The revisions are explained below.

- County Membership & Regional Membership: These revisions will remove the 9 Regional Memberships (one per county), which is a proportionate reduction for all counties, but will add two members to the County Membership due to the population thresholds per the bylaws. Total RCJAC membership will change from 36 members to 29 members for the 2024/2025 term. A reduction in the committee size will be beneficial in maintaining the specific member categories required by OOG-PSO/CJD while not going over OOG's "no more than 1/3" rule for categories.
- Regular Meetings: This revision changes the notification period for regular meetings from five business days to seventy-two hours prior to the meeting, aligning with the Texas Open Meetings Act.
- Funding Categories Reviewed by RCJAC: This revision accommodates the funding/grant application categories to be reviewed and scored by the RCJAC for the FY25 grant cycle, as required by OOG-PSO/CJD.

Motion to approve was made by Chris Brown and seconded by Stan Wyatt. It was approved.

Item 14. Ms. Patricia Haley presented for review and consideration approval of the revisions to the Regional Criminal Justice Advisory Committee (RCJAC) local priorities and the grant application scoring instrument.

The local priorities were established by the Regional Criminal Justice Planning Focus Groups.

Those recommendations and 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.

Motion to approve was made by Stan Wyatt and seconded by Mayor Walker. It was approved.

Other Business

Item 15. Ms. Toni Lindsey presented the Texas Department of Agriculture's Downtown Revitalization Program information. The Texas Community Development Block Grant (TxCDBG) procurement procedure highlights were discussed as follows:

- Scoring is based on the region's priorities.
- The grant is to be procured competitively regardless of funds that will pay for contract service.
- ATCOG may be designated as a subrecipient with a required Interlocal Agreement.
- The interlocal agreement is required prior to ATCOG conducting any work per grant application.
- Sample forms will be provided.

Discussion followed.

Announcements

Judge Howell announced the next Executive Committee meeting will be held on Thursday, January 25, 2024, 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 videoconference.

With no further business to discuss, a motion to adjourn was made by Mayor Walker and seconded by Stan Wyatt. It was approved.

NETEDD BOARD MEMBERS PRESENT

Tanner Crutcher, Judge, Delta County
Bobby Howell, Judge, Bowie County
Doug Reeder, Judge, Morris County
Marc Reiter, Mayor, City of Hooks
Stan Wyatt, NETX Municipal Water District Board

EXECUTIVE COMMITTEE MEMBERS PRESENT

Tanner Crutcher, Judge, Delta County
Bobby Howell, Judge, Bowie County
Doug Reeder, Judge, Morris County
Marc Reiter, Mayor, City of Hooks
Stan Wyatt, NETX Municipal Water District Board

ATCOG BOARD MEMBERS PRESENT

Chris Brown, Hopkins County Hospital District Board
Mandeep Chatha-Homer, Paris Independent School District
Rosina Duckworth, Mayor, City of Cumby
Becky Fellers, Liberty Eylau Independent School District
Laney Harris, Councilmember, City of Texarkana-AR
Ronald Humphry, Mayor, City of New Boston

Brad Johnson, Board Member, Northeast Texas Rail District
Joe T. Kelsey, Chairman, Red River Appraisal District
Gary Spraggins, Councilmember, City of Sulphur Springs
Lowell Walker, Mayor, City of DeKalb

GUESTS PRESENT

Gaye Beard, Office of United States Representative Pat Fallon
David Weidman, Sulphur River Basin Authority

STAFF MEMBERS PRESENT

Rea Allen, 9-1-1 Director
Lauren Cromer, Transportation Supervisor
Whitney Fezell, Homeland Security Coordinator
Patricia Haley, Criminal Justice Coordinator
Melody Harmon, Economic Development Director
Toni Lindsey, Regional Development Director
Marla Matthews, Executive Assistant
Leslie McBride, Deputy Director
Paul Prange, Environmental Resources Coordinator
Debbie Purifoy, Compliance and Purchasing Officer
Mary Beth Rudel, Executive Director
Melinda Tickle, Finance Director
Bobby Williams, Transportation Operations Manager
Mary Wormington, Housing Director

Bobby Howell, President
Board of Directors
Northeast Texas Economic Development District

ATTEST:

INFORMATION:

TEXAS DEPARTMENT OF AGRICULTURE

TDA IS PLEASED TO ANNOUNCE THE RELEASE OF NEW GRANT OPPORTUNITY:

2024 Downtown Revitalization Program (CDM)

Maximum Grant Amount: **\$500,000**

Community Application Deadline: **April 3, 2024**

Link to [CDM landing page](#), including the Application Guide **(TDA-GO)**

The application process for 2024 has been revised to include two distinct phases:

- (1) *The Community Application, due April 3, 2024, will collect information needed to assess community eligibility and scoring.*
- (2) *Applicants that score within funding range will be invited to submit a Project Application that identifies a project and details the specific work to be performed.*

2024 Pre-Application Webinar: Downtown Revitalization Program and Colonia Fund Construction Program will be held March 25, 2024 found on the [TxCDBG Training](#) webpage.

ECONOMIC DEVELOPMENT ADMINISTRATION

EDA Grants Online (GOL) Data Migration to the EDGE Portal:

DOCUMENT FROM EDA IS INCLUDED IN THIS DOCUMENT

NOTE: Any entity that is going to apply for a grant with EDA needs to make sure that the **AUTHORIZED REPRESENTATIVE** and **DESIGNATED STAFF** are registered in the **EDGE PORTAL**.

INSTRUCTIONS FOR EDGE SETUP AND RESOURCES INCLUDED IN THIS DOCUMENT

GRANTS:

Grants in Process:

Riverbend Water District

Defense Economic Adjustment Assistance Grant (DEAAG)
\$Pending **\$Pending match**

Submitted Grants:

Ark-Tex COG

Rural Business Development Grant (RBDG) 2024
Rural Business Development Grant Revolving Loan Fund
\$1,000,000.00 **\$0.00 match**

Denied/Not Selected Grants:

Sulphur Springs Hopkins County EDC

– EDA Disaster Supplemental
Economic Adjustment Assistance Grant – Coal Mine
\$4,552,478.00 **\$1,138,119.50 match**

LIMITED FUNDS IN TEXAS

Active Grants:

<i>NETEDD Planning</i>	2024-2026 3-Year Partnership Planning Program Grant <i>EDA / NETEDD Partnership Planning Program</i> \$210,000.00 <i>Pending Government Funding</i>	\$140,000.00 match
<i>TexAmericas Center</i>	Defense Economic Adjustment Assistance Grant (DEAAG) \$1,500,000.00	\$1,500,000.00 match
<i>City of Nash, Bowie County</i>	2023 EDA Disaster Supplemental Economic Adjustment Assistance Programs Nash Business Infrastructure \$2,550,000.00 EDA-APP# 00000615	\$542,632.00 match
<i>Ark-Tex COG</i>	Rural Business Development Grant (RBDG) Rural Business Development Grant Revolving Loan Fund \$631,818.00 USDA 49-019-565975011	\$100,000.00 match
NETEDD Revolving Loan Fund (RLF)	2020 EDA Public Works & Economic Adjustment RLF \$3,186,179.31 NETEDD GRANT # 08-57-02889 "REVOLVED OUT"	\$1,059,109.81 match
<i>City of Jacksboro/Jacksboro EDC Jack County **Approval from EDA and NRPC COG</i>	2022 EDA Public Works & Economic Adjustment Roadway/Water/Sewer in Jacksboro Economic Park \$1,500,000.00 EDA GRANT # 08-79-05637	\$152,000.00 match
<i>Paris Economic Development Corp, Lamar County</i>	2021 EDA ARPA Public Works & Economic Adjustment Infrastructure Northwest Industrial Park & Jobs \$1,300,000.00 EDA GRANT # 08-01-05707	\$552,344.00 match
<i>TexAmerica's Center, Bowie County</i>	2020 EDA Public Works & Economic Adjustment Rail & Jobs \$864,550.00 EDA GRANT # 08-79-05568	\$216,138.00 match
<i>City of De Kalb, Bowie County</i>	2020 EDA Public Works & Economic Adjustment Wastewater, Sewer, Water Lines & Meters, Easement & Jobs \$2,000,000.00 EDA GRANT # 08-01-05486	\$559,858.00 match
<i>City of Hooks Bowie County</i>	2021/2022 CDBG Community Development Fund Sewer Infrastructure \$350,000.00 TDA GRANT # CDV21-0265	\$35,000.00 match
<i>City of Avery Red River County</i>	2022 TxCDBG FAST Fund Grant Fire Truck & Equipment \$516,606.00 TDA GRANT # CFA22-0179	\$7,500.00 match
<i>City of Sulphur Springs, Hopkins County</i>	2020 EDA Cares Act Public Works & Economic Adjustment Coal Property Development – Infrastructure & Jobs \$2,380,000.00 EDA GRANT # 08-79-05609	\$596,960.00 match

Grants in Closeout Phase:

NETEDD Planning

2021-2023 3-Year Partnership Planning Program Grant

\$210,000.00

\$52,500.00 match

EDA GRANT # ED21AUS3020017

FINAL REPORT INCLUDED IN THIS REPORT

City of Hooks,
Bowie County

2020 EDA Public Works & Economic Adjustment
Wastewater Treatment Plant Upgrade

\$850,000.00

\$212,500.00 match

EDA GRANT # 08-01-05371

Hopkins County Sulphur Springs EDC
Hopkins County

2018 EDA Public Works & Economic Adjustment
Rail Transload Heritage Park

\$1,500,000.00

\$1,000,000.00 match

EDA GRANT # 08-79-05222

HAZARD MITIGATION

Plans Recently Approved by FEMA:

Plan(s) In Process:

Titus County Hazard Mitigation Plan
Franklin County Hazard Mitigation Plan
Texarkana Hazard Mitigation Plan

Active Plans:

Red River County	Approval Date: July 27, 2020	Expiration Date: July 26, 2025
Delta County	Approval Date: June 30, 2021	Expiration Date: June 29, 2026
Hopkins County	Approval Date: January 25, 2022	Expiration Date: January 24, 2027
Cass County	Approval Date: April 03, 2022	Expiration Date: April 02, 2027
Bowie County	Approval Date: January 19, 2023	Expiration Date: January 18, 2028
Lamar County	In review process by FEMA	

TRAINING:

Security Training with Know B 4
Reviewed CDBG Manual preparing for Administrator Test
National Defense Strategy Document Training
Know B 4 training X 2
Microix Training Online for payables
EDD Southwest online Training NADO
Maaclink Training online with ATMOS
NADO Training Cleveland Ohio
TARC online Overview of proposed changes to 2CFR Part 200
TARC Webinar Regional Texas Community Development Programs
EDA online EDGE software training
504 Connect Team Quarterly Program Call

CERTIFICATIONS UP-TO-DATE:

2023 TxCDBG TxCDBG Grant Administration Services

Ark-Tex Council of Governments:

Toni Lindsey – Certified Administrator, Regional Development Director

Melody Harmon – Certified Administrator, Economic Development Director

Kathy McCollum – Certified Administrator, Environmental/Hazard Mitigation Specialist

Holly Pfister – Certified Administrator, Development Specialist

FBI Background Clearances for SBA:

Toni Lindsey, Regional Development Director

Holly Pfister, Development Specialist

Mary Beth Rudel, Executive Director



Grants Online (GOL) Data Migration to the EDGE Portal

Starting February 14, 2024, all awards currently being managed in GOL will be transitioned to the EDGE Portal, and any awards grants previously accessible on GOL will also be transitioned to the EDGE Portal.

After the mid-March Go-Live date, **all awards and grants available in GOL will only be accessible for post award management in the EDGE Portal.** Following the migration GOL will be fully decommissioned and no longer available for use.

EDA launched its new, centralized grants management system, Economic Development Grants Experience (EDGE) Portal in March 2023. The initial phase of grants that were migrated from Grants Online (GOL) to the EDGE Portal included PWEAA, RNTA, and Short-Term Planning and TA applications. **We are excited to announce that EDGE will be expanding this March 2024 to include all awards currently being managed in Grants Online (GOL)!**

What functionality will be available in GOL during the migration?

After February 14, 2024, GOL will only be accessible in a “read-only” state until the data is completely transitioned over and becomes accessible/editable in the EDGE Portal by mid-March.

GOL account holders will have access to GOL information in View Only Mode; and you will be unable to edit or update data in the system.

What actions should grantees prioritize before February 13?

We advise that any outstanding actions that need to be completed in GOL are either done before February 13th by 11:59 pm or put on pause until mid-March when your award will be accessible/editable in the EDGE Portal. We recommend you prioritize the following:

- Requests for Payments, Advancements, and Reimbursements
- Complete all approved GOL payment requests by going into ASAP to complete the ASAP Drawdown. Any Drawdowns for GOL **not completed in ASAP before February 14 will be returned** and a new payment request must be submitted in EDGE Portal post the data migration
- Complete any delinquent reports
- Update organization, role and contact information in GOL to ensure the most recent data is being migrated

EDGE Portal Training for Grantees

In preparation of the GOL to EDGE Portal data migration, EDA will be facilitating live virtual EDGE Portal training sessions to orient grantees with EDGE Post Award processes. We will provide a detailed overview of the EDGE Portal and step by step instructions on how to manage your award in the EDGE Portal.

Please note, you are **only expected to attend one (1) EDGE Portal training session.**

EDGE PORTAL NAVIGATION & POST AWARD MANAGEMENT

1st Session → **Wednesday, February 28 @ 3:00 pm EDT**
[Click here to register!](#)

2nd Session → **Wednesday, March 6 @ 3:00 pm EDT**
[Click here to register!](#)

3rd Session → **Wednesday, March 13 @ 3:00 pm EDT**
[Click here to register!](#)

EDGE Portal Training Resources

The EDGE Project Team have created multiple Quick Reference Guides (QRGs) and Tutorial Videos that give step-by-step instructions for grantees and applicants. This is designed to help you become familiar with the EDGE Portal itself, as well as how to perform processes previously completed in GOL in the new EDGE Portal.

The EDGE Portal can be found here sfgrants.eda.gov/s/.

The training materials mentioned can be accessed by clicking “Resources” → “[Training Materials](#)” for all Tutorial Videos and “[Documents](#)” for all QRGs.

When and how do I get started?

Existing GOL users will be invited to activate your EDGE Portal account in mid-March. Emailed invitations will be system generated and come from grantsnoreply@eda.gov.

The exact date will be confirmed as the date approaches. In addition to live online training events, support for account activation will also be provided. **Note:** Account activation takes 1 to 2 business days. Regular updates and more detailed communications are forthcoming.

Who should Grantees contact if support is needed during the GOL to the EDGE Portal transition?

Email GrantHDSupport@eda.gov and copy your EDA Representative.

EDGE SETUP and RESOURCES

Under the “Resources” tab of EDGE, located at: <https://sfgrants.eda.gov/s/resources/videos> there are training videos available for you to download and review to help you get started and familiarize yourself with the portal.

Registration for an EDGE account is also available at: <https://sfgrants.eda.gov/s/>. As a part of the registration process, you will register one Authorized Representative for your organization. The Authorized Representative will be the only official with the authority to submit applications. This can be updated at a later, but you will want Board resolution for this authorization.

Note: Google Chrome or Firefox browsers are compatible with the portal. The Microsoft browser is not recommended.

Follow these steps to get registered:

1. Click on the blue “Log in” button (upper right-hand corner)
2. Review the System Use Agreement and accept (see blue “I Accept” button in lower right-hand area)
3. On the Log in page, select “Not a member?” (located underneath the blue “Log in” rectangle-button)
4. Complete the registration information (You will see “Join the community to receive personalized information and customer support”)
5. Once data form is completed, click the blue “Sign Up” button.

Applicants and grantees (i.e., EDGE Portal Users) will have 24x7 access to a full suite of EDGE training tutorial videos demonstrating how to use our new system along with a full suite of quick reference guides documenting step-by-step instructions for getting started with using our new grants management system. In addition, EDGE Portal Users will be invited to attend EDGE Portal Office Hours to receive live instructions and one-on-one support, as well as continued support through the EDA Grants Support, the helpdesk, at: grantHDSupport@eda.gov.

BRIEFING PAPER

ITEM 6:

Review and consider approval of revisions to the NETEDD Articles of Incorporation and bylaws.

BACKGROUND:

During the process of renewing NETEDD's SAM.gov (System for Award Management) registration, it was discovered that the title of the organization on the Articles of Incorporation did not match the title in the system. The title was originally filed in 1966 as North-East Texas Economic Development District, Inc. However, the title was listed with "Inc" on some documents and without "Inc" on other documents. The hyphen was also listed on some documents and not on others. This caused a delay with our renewal with SAM.gov. It was also discovered that the registered agent was still listed as former Executive Director, L.D. Williamson and the membership counties have not been updated since the articles were formed. The NETEDD bylaws state that the articles of organization may be amended by a two-thirds vote of the membership of the Board of Directors.

Upon review of all supporting documents, it was also noted that the NETEDD member counties had not been revised in the bylaws after receiving approval from the U.S. Department of Commerce Economic Development Administration (EDA) to move Camp and Marion Counties to the East Texas Council of Governments service area. (EDA approval letter included in agenda)

DISCUSSION:

Staff recommend revising the bylaws to reflect the correct member counties. Staff recommend revising the title of the organization to North East Texas Economic Development District, Inc., on the Articles of Incorporation, bylaws, and current contracts so that all official documents are agreeable. We also recommend listing Ms. Mary Beth Rudel, ATCOG Executive Director, as the registered agent for the entity and revising Article II of the articles to correct the membership information to align with the EDA approved service area and recommended bylaws revision.

Article II: The Corporation shall be a non-profit corporation with no capital stock nor stockholding members; membership shall consist of members elected or appointed as provided in the Bylaws from Bowie, Cass, Delta, Franklin, Hopkins, Lamar, Morris, Red River, and Titus Counties, Texas, and other counties adjoining which may petition to join herein.

Completing this alignment of the title of the organization and corrected member counties across all documents will provide consistency moving forward and allow NETEDD's SAM.gov registration to be renewed for grant purposes.

RECOMMENDATION:

Staff recommends approval.



U.S. DEPARTMENT OF COMMERCE
Economic Development Administration
Austin Regional Office
903 San Jacinto, Suite 206
Austin, TX 78701

January 22, 2020

Mr. David Cleveland
Executive Director
East Texas Council of Governments
3800 Stone Road
Kilgore, TX 75662

Mr. Chris Brown
Executive Director
North East Texas Economic Development District
4808 Elizabeth St.
Texarkana, TX 75503

Dear Mr. Cleveland and Mr. Brown:

EDA has received a copy of the letter from the Texas Department of Agriculture authorizing Camp and Marion counties to be moved from the service area of the North East Texas Economic Development District to that of the East Texas Council of Governments. As such, EDA approves moving these two counties from the service area of the North East Texas Council of Governments to that of the East Texas Council of Governments. This change should be reflected in the next 5-year CEDS update for each organization.

Please feel free to contact Chris Rys at (512) 492-5998, crys@eda.gov if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jorge Ayala".

Jorge Ayala
Regional Director

BYLAWS
NORTH EAST TEXAS ECONOMIC DEVELOPMENT DISTRICT, INC
AS AMENDED ~~AUGUST 31, 2017~~ FEBRUARY 29, 2024

SECTION I

Eligibility for Membership to District

Sufficient action establishing intent to join said District shall be such action as required by the local laws of the governing body of each county or municipality, and also as may be required by applicable State law for inter-municipal organizations.

The members of the North East Texas Economic Development District, Inc., shall include the following counties and political subdivisions within these counties: Bowie, ~~Camp~~, Cass, Delta, Franklin, Hopkins, Lamar, ~~Marion~~, Morris, Red River, and Titus.

Said membership becomes effective immediately following completion of such action as is required by the local laws of the governing body of each county or municipality, and also as may be required by applicable State law for inter-municipal organizations, for joining the District.

SECTION II

Functions

This District shall have the following authority, responsibilities, and functions:

1. To make, adopt, and extend an overall economic development plan for the District with due regard for the development of the overall economic needs of the District, as well as such other portions of the area or State as may be affected thereby. To advise and assist its members within the District on how to best implement and make effective the plan for the overall best interest of each member of the District.
2. To prepare and execute such programs of research as may be necessary and advisable in carrying out its purposes.
3. To contract for service for person or firms or other units and levels of government to carry out the purposes of this organization.
4. To prepare periodic reports as may be required by the Bylaws of this District or Federal or State legislation or regulations pertaining thereto.
5. To acquire and hold property for its use and to incur expenses to carry out these functions.
6. To receive gifts, contributions, and donations which may be made to or consistent with the reasons for its creation for its own use and purposes.

7. To publish studies in connections with its work which may be of benefit to its members, municipalities, or other agencies or programs within and outside of the District.
8. To receive funds from the member counties or municipalities of this District, as may be provided for under the Bylaws of this Districts, to finance the costs of operation of this District.
9. To prepare an annual budget to be submitted to the Economic Development Administration, the appropriate State agency, and the constituent members hereto.
10. To carry out any other function consistent with its Purpose described in Section III.

SECTION III

Purpose

The North East Texas Economic Development District, Inc., is being created for the following purposes:

1. To prepare and develop a district overall economic development program for long-range economic growth which includes adequate land use and transportation planning and contains a specific program for district cooperation, self-help, and public investment.
2. To formulate, develop, and administer a program for planning and development in order to improve economic conditions in the District in respect to unemployment, under-employment, and distressed economic conditions.
3. To coordinate the overall economic planning and development in the District among the member municipalities.
4. To carry out research, planning, and advisory functions as are necessary and helpful to the foregoing.
5. This District shall not supersede or replace any of the existing political jurisdictions now in existence.

SECTION IV

Budget and Sharing Costs of District

The District Board of Directors shall adopt an annual budget. The member counties and municipalities shall pay annually to the District's budget a pro rata share to be agreed to by the members.

Failure to pay such assessment by any member within ninety days of receiving notice from the District of its being due shall be grounds for revocation of membership in the District of the delinquent member.

SECTION V

Length of Terms of Members of Board of Directors

The terms of the members of the Board of Directors shall be for a period of two (2) years; except that at the inception, each shall serve as such until his successor is elected or appointed as provided for herein.

SECTION V

Board of Directors

The governing body of the North East Texas Economic Development District, Inc., shall be designated as the Board of Directors; and its membership shall be constituted as follows:

1. Each county shall have no more than five (5) representatives on said Board of Directors. They shall be appointed by the County Judge of the participating member counties.
2. Should the County Judge fail to make appointments to the Board of Directors as stipulated herein, then the Commissioners Court of that county shall make the appointments.
3. The members, elected or chosen, shall represent government, labor, business, agriculture, and minority ethnic groups such that the per centum of minority Board Members shall equal or exceed the minority per centum of the District's population.
4. Such Director shall serve for a period of two (2) years or until such time as his successor appointed as provided for herein.

Directors, as such, shall not receive any stated salaries for their services; but by resolution of the Board of Directors, a fixed sum and expenses of attendance, if any, may be allowed for attendance at each regular or special meeting of the Board. Nothing herein contained shall be construed to preclude any Director from serving the corporation in other capacity and receiving compensation therefor.

Any action required by law to be taken at a meeting of Directors, or any action which may be taken at a meeting of Directors, may be taken without a meeting if a consent in writing, setting forth the actions so taken, shall be signed by all of the Directors.

SECTION VII

Executive Committee

There shall be an Executive Committee of the Board of Directors composed of the following:

1. The President, Vice President, and Secretary-Treasurer of the North East Texas Economic Development District, Inc.
2. One committee member from each of the member counties appointed by the County Judge.

3. Additional minority committee members may be appointed by the President from the remainder of the Board of Directors such that the per centum of the minority Executive Committee members shall equal the minority per centum of the District population.
4. Any committee member who misses three (3) consecutive meetings (not excused by the official Board) shall be dropped and the replacement be supplied as prescribed above.

The Executive Committee Shall serve for a period of two (2) years with no limitation for succession.

The President shall be the principal executive officer of the corporation and shall in general supervise and control all of the business and affairs of the corporation. He shall preside at all meetings of the Executive Committee and of the Board of Directors. He may sign, with the Secretary or any other proper officer of the corporation authorized by the Executive Committee, any deeds, mortgages, bonds, contracts, or other instruments which the Executive Committee have authorized to be executed; and in general, he shall perform all duties incident to the office of President and such other duties as may be prescribed by Executive Committee from time to time.

In the absence of the President or in event of the inability or refusal to act, the Vice President shall perform the duties of the President, and when so acting, shall have all powers of and be subject to the restrictions upon the President. The Vice President shall perform such other duties as from time to time be assigned by the President, Executive Committee or by the Board of Directors.

If required by the Executive Committee, the Treasurer shall give a bond for the faithful discharge of the duties in such sum and with such surety or sureties as the Executive Committee shall determine. He shall have charge and custody of and be responsible for all funds and securities of the corporation; receive and give receipts for monies due and payable to the corporation from any source whatsoever; and deposit all such monies in the name of the corporation in such banks, trust companies, or other depositories as shall be selected by the Executive Committee.

The Secretary shall keep the minutes of the meetings of the Executive Committee and of the Board of Directors in one or more books provided for that purpose; see that all notices are duly given in accordance with the provisions of these Bylaws or as required by law; be custodian of the corporate records and of the seal of the corporation and see that the seal of the corporation is affixed to all documents, the execution of which, on behalf of the corporation under its seal, is duly authorized in accordance with the provisions of these Bylaws; keep a register of the post office address of each member which shall be furnished to the secretary by such member; and in general, perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned by the President, Executive Committee or by the Board of Directors.

SECTION VIII

Amendments to the Articles of Organization

The articles of organization may be amended by a two-thirds vote of the membership of the Board of Directors, obtaining such additional approval as may be required under applicable State laws and State

administrative regulations and as may be required by the Secretary of Commerce, United States Government.

SECTION IX

Main Office

The name and street address of the initial-registered office of the North East Texas Economic Development District, Inc., is to be determined by the Executive Committee, and the main office of this District shall be at such location as may be designated by the Board of Directors of this District.

SECTION X

Meetings

Meetings of the Board of Directors shall:

1. Take place at least once each year, or
2. On call of a majority of the members of the Executive Committee

Meetings of the Executive Committee shall:

1. Take place at least quarterly, or
2. On call of the Chairman of the Executive Committee

Meetings shall require at least three (3) days written notice to the members of the Board of Directors or the Executive Committee.

SECTION XI

Quorum

A quorum shall be present at any meeting for either the Board of Directors or the Executive Committee with the presence of a simple majority of the membership.

SECTION XII

Vote Required for Action by Board of Directors

Any action of the Board of Directors may be taken by a simple majority vote of the Board with a quorum present, except that a two-thirds vote of those Directors present, with a quorum present, shall be required for approval of budgetary matters, expulsion for cause of a member of the District, acceptance of withdrawal of a member from this District, or amendment of the Articles of Organization or Bylaws of the District.

SECTION XIII

Vote Required for Action by Executive Committee

The same requirements of a majority for action by the Executive Committee shall apply as pertaining to the Board of Directors.

SECTION XIV

Election of Officers & Duties of These Positions

The following officers shall be elected every two (2) years by the membership of the Board of Directors and shall have the indicated duties:

1. President: The President shall preside at all meetings of the Board of Directors and the Executive Committee and shall perform such other duties as may be assigned to him by action of the Board of Directors or Executive Committee.
2. Vice-President: In the event of the absence or inability of the President, the Vice-President shall act as President.
3. Secretary: The Secretary-Treasurer of the Corporation shall serve as Secretary of the Executive Committee and shall: (a) keep minutes of the proceedings of the Board of Directors and the Executive Committee in appropriate books provided for that purpose; (b) see that all notices are duly given as required by law, regulation, or the Bylaws of the District; (c) the Secretary-Treasurer shall keep the seal of the corporations; and (d) in general, perform all duties incident to the office of Secretary and such other duties as may assigned or delegated by the President, the Board of Directors, or the Executive Committee.

Also, the Secretary-Treasurer of the said Corporation shall serve as such for the Executive Committee and shall (a) have general charge and custody of and be responsible for all funds of the District; (b) deposit all monies received, in the name of the District, in such banks or other depository as may be designated by the Board of Directors; (c) keep correct and complete books and records of account; and (d) perform such other duties as may be assigned by the Board of Directors.

Not more than one Director from each county shall be elected an officer of the corporation.

Said officers shall provide such bond as may be required by the Board of Directors.

SECTION XV

Duties of the Executive Committee

As a general guide, the Executive Committee shall have the following functions, duties, and responsibilities:

1. To prepare an annual budget.
2. To hire an Executive Director subject to approval of the Board of Directors
3. To appoint advisory committees to advise the Executive Committee and to assist in carrying out the purposes, functions, duties, and responsibilities of the District as outlined in the Articles of Organization and Bylaws of the District.
4. To notify the Board of Directors on the acceptance or rejection by the District of any grants, gifts, contributions, and donations offered to the District.
5. Take such other actions, make recommendations, and formulate policy on those matters which may be delegated to it by the Board of Directors, which will best effectuate and carry out the purposes and functions for which this District is created and as outlined in the Articles of Organization and Bylaws.

SECTION XVI

Requirements for Periodic Reports

No less than once annually, the Board of Directors shall report comprehensively to its membership, the Governor of the State of Texas, and the Director of the Economic Development Administration, and shall have such other reports prepared as may be required by Federal, State, or municipal law or regulation as may be required other than under the Articles of Organization and Bylaws.

SECTION XVII

Obligation for Dues on Withdrawal or Admission

In the event of withdrawal by a member from the District, said member shall be entitled to no return of any annual dues or portion thereof, hitherto paid' in the event of admission of a new member during the fiscal year, said new member shall pay a pro rate share of the annual dues required for the balance of the fiscal year remaining.

SECTION XVIII

Amendment to Bylaws

These Bylaws may be amended by a vote of the Board of Directors approving the amendment at any meeting, provided that the proposed amendment has been submitted in writing to each member of the Board at least seven (7) days in advance of each meeting and ratified by a majority vote of two-thirds of the Board of Directors at the meeting.

SECTION XIX
Waiver of Notice

Whenever any notice is required to be given under the provisions of the Texas Non-Profit Corporation Act or under the provisions of the Articles of Incorporation or the Bylaws of the corporation, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

SECTION XX
Publication of Proceedings

The minutes of the meetings of the Board of Directors and the Executive Committee shall be published as required for local government units by the laws of the State of Texas.

SECTION XXI
Fiscal Year

The Fiscal Year for the District shall be the fiscal year coinciding with that of the United States Government.

SECTION XXII
Rules for Parliamentary Procedure

Robert's Rules of Order shall govern on all matters of parliamentary procedure.



OFFICE OF THE SECRETARY OF STATE

**CERTIFICATE OF INCORPORATION
OF**

NORTH-EAST TEXAS ECONOMIC DEVELOPMENT DISTRICT, INCORPORATED
CH. NO. 226042

The undersigned, as Secretary of State of the State of Texas, hereby certifies that duplicate originals of Articles of Incorporation for the above corporation duly signed and verified pursuant to the provisions of the Texas Non-Profit Corporation Act, have been received in this office and are found to conform to law.

ACCORDINGLY the undersigned, as such Secretary of State, and by virtue of the authority vested in him by law, hereby issues this Certificate of Incorporation and attaches hereto a duplicate original of the Articles of Incorporation.

Dated July 11, 1966

John L. Hice
Secretary of State



Filed in the Office of the
Secretary of State of Texas
This 11 day of June 1966
C. L. Rose
Senior Corp. Examiner, Charter Div.

ARTICLES OF INCORPORATION

OF

NORTH-EAST TEXAS
ECONOMIC DEVELOPMENT DISTRICT, INCORPORATED

We, the undersigned, natural persons of the age of twenty-one years or more, and citizens of the State of Texas, acting as incorporators of a corporation under the Texas Non-Profit Corporation Act, do hereby adopt the following Articles of Incorporation for such corporation:

ARTICLE I.

The name of the corporation shall be NORTH-EAST TEXAS ECONOMIC DEVELOPMENT DISTRICT, INCORPORATED.

ARTICLE II.

The Corporation shall be a non-profit corporation with no capital stock nor stockholding members; membership shall consist of members elected or appointed as provided in the By-Laws from Bowie, Cass, Fannin, Lamar, Red River, Delta, Hopkins, Franklin, Titus, Morris, Rains, Wood, Camp, Upshur, Marion, Harrison, Cherokee, Rusk, Panola and Shelby Counties, Texas, and other counties adjoining which may petition to join herein.

ARTICLE III.

It shall be the purpose of this corporation to implement and carry out the provisions and spirit of the Public Works and Economic Development Act of 1965, Public Law

8-136, as promulgated by the 89th. Congress of the United States of America, and to take the necessary measures and actions to qualify areas and localities of substantial and persistent unemployment and underemployment to take steps in planning and financing their public works and economic development; to make necessary application or applications therefor; including compliance with the provisions of the Economic Development Act, and to obtain financial assistance, including grants for public works, and to take such further actions necessary to coordinate compliance under the terms of the act with the recipient or recipients; and to assist in the increase of industrial development which will result in actual job opportunities. In addition to the purposes, powers and functions herein enumerated, but not by way of limitation, said corporation shall make, adopt, amend, and extend an overall economic plan for the District, based on comprehensive studies of the present and future development of the District, with due regard for the development of neighboring districts, State and National development; to propose, prepare, and execute such progress of research as may be deemed necessary or desirable in carrying out its purposes; may contract services necessary to carry out the purposes of this corporation; prepare periodic reports as required by contracts entered into with the Government; may acquire property for its own use and incur expenses as may be necessary to carry out its functions and duties as provided for its use; and may receive gifts, contributions, and donations for its own use and purposes.

ARTICLE IV.

The period if its duration shall be perpetual.

ARTICLE V.

The street address of the initial registered office of the corporation shall be Texas City Hall Building, 3rd. and Texas Avenue, Texarkana, Texas, and the name of its initial registered agent at such address is James Slider.

Economic Development, Inc. 2001 E. 1st Street, Texarkana, Texas

ARTICLE VI.

The number of directors constituting the initial Board of Directors of the corporation is eleven, and the names and addresses of the persons who are to serve as the initial directors are:

<u>Name</u>	<u>Address</u>
Neal Solomon	Box 517 Mt. Vernon, Texas (FRANKLIN)
James Slider	Box 187 Naples, Texas (MORRIS)
O. L. Bridges	Box 457 Cooper, Texas (DELTA)
George T. Hinson	Mineola, Texas (WOOD)
B. A. Lemser	Rt. 2, Box 487 Texarkana, Texas (BOWIE)
Walter Bassano	Paris News Paris, Texas (LAMAR)
Frank Grimes	Paris Junior College Paris, Texas (LAMAR)
Leo Tosh	Rusk, Texas (CHEROKEE)
Choice Moore	County Judge Bonham, Texas (FANNIN)
Cameron McElroy, Jr.	P. O. Box 580 Marshall, Texas (HARRISON)
Karl Keller	P. O. Box 520 Marshall, Texas (HARRISON)

ARTICLE VII.

The names and street address of each incorporator is:

Neal Solomon

Box 517

Mt. Vernon, Texas

(FRANKLIN)

James Slider

Box 187

Naples, Texas

(MORRIS)

Cameron McElroy, Jr.

P. O. Box 580

Pinecrest Drive W.

Marshall, Texas

(HARRISON)

ARTICLE VIII.

The affairs of the corporation shall be managed by its Board of Directors and such other Administrative Boards as may be designated by the Board of Directors.

IN WITNESS WHEREOF, we have hereunto set our hands this
the 29 day of June, A.D., 1966.

Neal Solomon

James Slider

Cameron McElroy, Jr.

**Form 424
(Revised 05/11)**

Submit in duplicate to:
Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
512 463-5555
FAX: 512/463-5709
Filing Fee: See instructions



This space reserved for office use.

Certificate of Amendment

Entity Information

The name of the filing entity is:

State the name of the entity as currently shown in the records of the secretary of state. If the amendment changes the name of the entity, state the old name and not the new name.

The filing entity is a: (Select the appropriate entity type below.)

- | | |
|--|---|
| <input type="checkbox"/> For-profit Corporation | <input type="checkbox"/> Professional Corporation |
| <input type="checkbox"/> Nonprofit Corporation | <input type="checkbox"/> Professional Limited Liability Company |
| <input type="checkbox"/> Cooperative Association | <input type="checkbox"/> Professional Association |
| <input type="checkbox"/> Limited Liability Company | <input type="checkbox"/> Limited Partnership |

The file number issued to the filing entity by the secretary of state is: _____

The date of formation of the entity is: _____

Amendments

1. Amended Name

(If the purpose of the certificate of amendment is to change the name of the entity, use the following statement)

The amendment changes the certificate of formation to change the article or provision that names the filing entity. The article or provision is amended to read as follows:

The name of the filing entity is: (state the new name of the entity below)

The name of the entity must contain an organizational designation or accepted abbreviation of such term, as applicable.

2. Amended Registered Agent/Registered Office

The amendment changes the certificate of formation to change the article or provision stating the name of the registered agent and the registered office address of the filing entity. The article or provision is amended to read as follows:

Registered Agent
(Complete either A or B, but not both. Also complete C.)

A. The registered agent is an organization (cannot be entity named above) by the name of:

OR

B. The registered agent is an individual resident of the state whose name is:

First Name *M.I.* *Last Name* *Suffix*

The person executing this instrument affirms that the person designated as the new registered agent has consented to serve as registered agent.

C. The business address of the registered agent and the registered office address is:

Street Address (No P.O. Box) *City* *TX* *State* *Zip Code*

3. Other Added, Altered, or Deleted Provisions

Other changes or additions to the certificate of formation may be made in the space provided below. If the space provided is insufficient, incorporate the additional text by providing an attachment to this form. Please read the instructions to this form for further information on format.

Text Area (The attached addendum, if any, is incorporated herein by reference.)

Add each of the following provisions to the certificate of formation. The identification or reference of the added provision and the full text are as follows:

Alter each of the following provisions of the certificate of formation. The identification or reference of the altered provision and the full text of the provision as amended are as follows:

Delete each of the provisions identified below from the certificate of formation.

Statement of Approval

The amendments to the certificate of formation have been approved in the manner required by the Texas Business Organizations Code and by the governing documents of the entity.

Effectiveness of Filing (Select either A, B, or C.)

- A. This document becomes effective when the document is filed by the secretary of state.
- B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of signing. The delayed effective date is: _____
- C. This document takes effect upon the occurrence of a future event or fact, other than the passage of time. The 90th day after the date of signing is: _____
The following event or fact will cause the document to take effect in the manner described below:

Execution

The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized under the provisions of law governing the entity to execute the filing instrument.

Date: _____

By: _____

Signature of authorized person

Printed or typed name of authorized person (see instructions)

RESOLUTION NO. NBD24-02

RESOLUTION OF THE NORTH EAST TEXAS ECONOMIC DEVELOPMENT DISTRICT, INC. (NETEDD) APPROVING THE ATCOG EXECUTIVE DIRECTOR TO SUBMIT CERTIFICATE OF AMENDMENT TO THE TEXAS SECRETARY OF STATE AMENDING ARTICLES OF INCORPORATION FOR NORTH-EAST TEXAS ECONOMIC DEVELOPMENT DISTRICT, INC AND REVISIONS TO THE BYLAWS MEMBER COUNTIES.

WHEREAS, the articles were formed in 1966 and may be amended by a two-thirds vote of the membership for the Board of Directors; and

WHEREAS, the articles need to be amended to correct the title of the organization, update the registered agent, and revise the counties for membership; and

WHEREAS, the amendment will aid in the renewal of NETEDD's SAM.gov registration; and

WHEREAS, the NETEDD Board of Directors designates the title of the organization as North East Texas Economic Development District, Inc.; and

WHEREAS, the NETEDD Board of Directors designates Mary Beth Rudel, ATCOG Executive Director, as the registered agent for the organization; and

WHEREAS, the Bylaws need to be revised to reflect the correct member counties.

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

- Section 1 - That the NETEDD Board of Directors approves the submission of Certificate of Amendment to the Texas Secretary of State amending Articles of Incorporation for NETEDD and revisions to the bylaws service area.
- Section 2 - That the title of the organization is North East Texas Economic Development District, Inc.
- Section 3 - That the registered agent of the organization is Mary Beth Rudel, ATCOG Executive Director.
- Section 4 - That Article II of the articles reflects: The Corporation shall be a non-profit corporation with no capital stock nor stockholding members; membership shall consist of members elected or appointed as provided in the Bylaws from Bowie, Cass, Delta, Franklin, Hopkins, Lamar, Morris, Red River, and Titus Counties, Texas, and other counties adjoining which may petition to join herein.
- Section 5 - That the bylaws shall be revised to reflect the member counties as Bowie, Cass, Delta, Franklin, Hopkins, Lamar, Morris, Red River, and Titus Counties.
- Section 6 - That this resolution is approved by majority vote in accordance with the bylaws of NETEDD Board of Directors and applicable law, and shall be in effect immediately upon its adoption.

REVIEWED AND APPROVED THIS 29TH DAY OF FEBRUARY, 2024

ATTEST:

Bobby Howell, President
Board of Directors
Northeast Texas Economic Development District

MINUTES
ARK-TEX COUNCIL OF GOVERNMENTS
EXECUTIVE COMMITTEE MEETING
January 25, 2024

The Ark-Tex Council of Governments (ATCOG) Executive Committee met at 10:00 a.m., Thursday, January 25, 2024, at the Northeast Texas Small Business Development Center (SBDC), 2nd Floor, located at 105 North Riddle Avenue, Mount Pleasant, Texas, and via videoconference.

Item 1. Bobby Howell, Judge, Bowie County, called the meeting to order.

Item 2. Scott Norton, Executive Director/CEO, TexAmericas Center, gave the invocation.

Item 3. Public Comment.

No member of the public made a comment.

Item 4. Ms. Mary Beth Rudel, Executive Director, presented the following consent agenda items:

- Approval of the minutes as submitted for the ATCOG Special Called Executive Committee meeting held Tuesday, August 8, 2023.
- Approval of the minutes as submitted for the ATCOG Executive Committee meeting held Thursday, October 26, 2023.
- Acceptance of the minutes as submitted for the ATCOG Area Agency on Aging Regional Advisory Council meeting held Thursday, December 7, 2023.

Motion to approve was made by Travis Ransom, Judge, Cass County, and seconded by Robert Newsom, Judge, Hopkins County. It was approved.

Review and Comment

Item 5. Ms. Rudel presented the Executive Director Report for information only. She reviewed the reports and provided updates to the committee. Ms. Rudel requested the committee's feedback and guidance for future quarterly report details. The committee appreciated the new formatting and requested that a list of grants/projects be added and the financial report be provided in the packet.

Regular Business

Item 6. Ms. Leslie McBride presented for review and consideration approval of an appointment to the Ark-Tex Urban Transit, Inc. (ATUT) Board of Directors.

The recent personnel position changes at the Ark-Tex Council of Governments require appointing a new ATUT Director/President and Director/Vice-President/Treasurer. The current ATUT Board members are Mary Beth Rudel, Director/Vice-President/Treasurer, and Mark Compton, Director/Secretary. Due to Chris Brown's resignation, there is a vacancy in the President position. ATCOG requests approval of the following appointments to the ATUT Board of Directors effective this day upon approval:

- Mary Beth Rudel, ATCOG Executive Director, ATUT Director/President

- Leslie McBride, ATCOG Deputy Director, ATUT Director/Vice-President/Treasurer
- Mark Compton, ATCOG Transportation Director, ATUT Director/Secretary

Motion to approve was made by Scott Lee, Judge, Franklin County, and seconded by Scott Norton. It was approved.

Item 7. Ms. Jenny Butler presented for review and consideration approval of the submission of an application to the Texas Health and Human Services for the Aging and Disability Resource Center (ADRC) Services.

ATCOG wishes to apply for the ADRC program funds to continue efforts to serve individuals in the Ark-Tex region. The ADRC programs would be complementary to ATCOG's existing programs. Services provided to the community would be streamlined by having the ADRC and Area Agency on Aging housed under ATCOG. In addition to services offered through the AAA, resources could be provided to individuals through the ADRC by avenues that would avoid duplication of services. The Grant Project Period is from September 1, 2024, through August 31, 2027, and the total application amount is \$420,450.00.

Motion to approve was made by Judge Ransom and seconded by Judge Newsom. It was approved.

Item 8. Ms. Jenny Butler presented for review and consideration approval of the revisions to the Area Agency on Aging Regional Advisory Council By-laws.

The Advisory Council met on December 7, 2023, and approved the proposed addition that a current RAC member could nominate a representative. The proposed change to the Area Agency on Aging (AAA) Regional Advisory Council By-laws is as follows:

- ARTICLE IV – MEMBERSHIP; Section 2 - Representatives shall be appointed for a term of five (5) years or until a replacement is found. Regional Advisory Council members are appointed to the Council by the ATCOG Board of Directors, a Regional Advisory Council member, the County Judge, or Title III Service Providers, subject to approval by the ATCOG Board of Directors.

Motion to approve was made by Judge Lee and seconded by Doug Reeder, Judge, Morris County. It was approved.

Item 9. Ms. Jenny Butler presented for review and consideration approval of the revised Area Agency on Aging Policy and Procedures.

The Advisory Council met on December 7, 2023, and the policy and procedures were presented for discussion and approval. The following changes were made as follows:

- Administrative Responsibilities (Chapter 2; pages 10 and 11): Targeting Service Delivery - added the phrase "and Ombudsman services" to the policy section, clarifying the ombudsman can assist individuals under the age of 60 in a long-term care facility. Removed the sentence "Benefits Counselors and Local Managing Ombudsman utilize the same principles when dealing with their clients" as it relates to assessment processes from the procedures.
- Fiscal Responsibilities (Chapter 3; page 31) Ombudsman Minimum Funding Requirement – clarifies the procedures section that federal funds are used to expend the minimum funding requirement plus additional funding earmarked for the Ombudsman program. This revision included deleting a footnote that did

not clarify or provide any additional information in the section.

- Attachment C; (Page 77)
Conflict of Interest Form – changed wording regarding the Ombudsman in the association options.

Motion to approve was made by Scott Norton and seconded by Judge Reeder. It was approved.

Item 10. Ms. Mary Wormington presented for review and consideration approval of ATCOG's Housing Department 2024 Fair Market Rent Payment Standards for the Housing Choice Voucher Program.

ATCOG Housing serves the following fourteen counties: Bowie, Cass, Delta, Franklin, Hopkins, Lamar, Morris, Red River, Rusk, Smith, Titus, Upshur, Van Zandt, and Wood counties. ATCOG Housing Department established payment standard amounts for each Fair Market Rent area within the service area and each unit size in each county. For each unit size, a payment standard is established by HUD within the "basic range" of 90 percent to 110 percent of the published Fair Market Rent. The Desegregated Housing Opportunities (DHO) rates are predetermined.

Upon the recommendation of HUD, ATCOG's Housing Department requests the Board's approval of ATCOG's Housing Department 2024 Payment Standards to be included in our Section Eight Management Assessment Program (SEMAP) document.

Motion to approve was made by Judge Ransom and seconded by Stan Wyatt, NETX Municipal Water District Board Mayor. It was approved.

Item 11. Ms. Patricia Haley presented for review and consideration approval of the submission of a grant application to the Office of the Governor, Criminal Justice Division, for the Purchase of Juvenile Justice Services Project for FY2025.

The Purchase of Juvenile Justice Services Project provides necessary funds to allow county juvenile probation departments in the ATCOG nine-county region to purchase quality services for juveniles that have been referred to them. Services previously purchased and provided include psychological and psychiatric evaluations, as well as professional therapy and mental health counseling services, anger management, juvenile sex offender counseling/treatment, and possibly substance abuse counseling/treatment if applicable/eligible, and funds are available.

Upon approval, ATCOG will apply for \$55,000 for this project. The proposed Contractual Services will include an approximate total of \$32,000 for Juvenile Justice Services.

Motion to approve was made by Brandon Bell, Judge, Lamar County, and seconded by Scott Norton. It was approved.

Item 12. Ms. Sheena Record presented for review and consideration approval of the ATCOG Rural Transit District (RTD) Title VI Program Plan Facility Analysis for the new Paris Metro/TRAX in Paris, Texas.

TxDOT requires the submission of a Title VI Facility Analysis, which outlines the process ATCOG completed to secure the facility, including the evaluation of properties. Upon completion of the analysis, it was determined the best location that meets all needs of staff, buses, and the citizens of Paris, Texas, is at 1610 Clarksville Street, in central Paris.

Motion to approve was made by Judge Reeder and seconded by Stan Wyatt. It was approved.

Announcements

Judge Howell announced a Workforce CEO meeting will be held immediately following this meeting. Judges, please reconvene at the front of the room or remain on Zoom. All others, please move into the hallway or exit the Zoom meeting.

Ms. Rudel reported that the ATCOG Area Agency on Aging recently had an Ombudsman monitor visit, receiving some recommendations and an excellent report overall.

Ms. Rudel announced that ATCOG has been selected to administer the second round of the Regional Flood Planning Grant for Region 2.

Judge Howell recognized the following new Board members:

- Ms. Pearlee Wells, President, Northeast Texas Resource Conservation District Area, Inc. (Lamar County)
- Mr. Cole Meador, Council Member-Ward-5, Texarkana-TX (Bowie County)

Judge Howell announced that the next ATCOG Executive Committee meeting will be held on February 29, 2024, at 10:00 a.m., at the Northeast Texas Small Business Development Center (SBDC), 2nd Floor, 105 North Riddle Avenue, Mt. Pleasant, Texas, and via videoconference.

With no further business to discuss, Judge Lee made a motion to adjourn, seconded by Judge Newsom. The meeting was adjourned.

EXECUTIVE COMMITTEE MEMBERS PRESENT

Brandon Bell, Judge, Lamar County
Bobby Howell, Judge, Bowie County
Scott Lee, Judge, Franklin County
Robert Newsom, Judge, Hopkins County
Scott Norton, Executive Director/CEO, TexAmericas Center
Travis Ransom, Judge, Cass County
Doug Reeder, Judge, Morris County
Ann Rushing, Mayor, City of Clarksville
Stan Wyatt, NETX Municipal Water District Board

ATCOG BOARD MEMBERS PRESENT

Juan Duenez, Mt. Pleasant Independent School District
Laney Harris, Director Ward 6, City of Texarkana-AR
Ron Humphrey, Mayor, City of New Boston
Brad Johnson, Northeast Texas Rural Rail Authority Board
Jean Matlock, Councilwoman, City of Texarkana-TX

GUESTS PRESENT

April Corbit, Northeast Texas Workforce Solutions
ReaDonna Jones, Texarkana MPO
KiAnn Richardson, Northeast Texas Workforce Solutions
Randy Reed, Northeast Texas Workforce Solutions
Bart Spivey, Northeast Texas Workforce Solutions

STAFF MEMBERS PRESENT

Mary Beth Rudel, Executive Director
Rea Allen, 9-1-1 Director
Jenny Butler, AAA Director
Misti Cole, Human Resources Director
Patricia Haley, Criminal Justice Coordinator
Melody Harmon, Economic Development Director
Toni Lindsey, Regional Development Director
Marla Matthews, Executive Assistant
Leslie McBride, Deputy Director
Paul Prange, Environmental Resources Coordinator
Debbie Purifoy, Compliance and Purchasing Officer
Sheena Record, Transportation Coordinator
Melinda Tickle, Finance Director
Bobby Williams, Transportation Operations Manager
Mary Wormington, Housing Director

Bobby Howell, President
Board of Directors
Ark-Tex Council of Governments

ATTEST:

PARTICIPATION AGREEMENT
AEP TEXAS (“UTILITY”)
TARGETED LOW-INCOME PROGRAM
ADMINISTERED BY FRONTIER ENERGY, INC.
PROGRAM YEAR 2024

1.0 This Participation Agreement (this “Agreement” is between Frontier Energy, Inc., hereinafter known as “Frontier”, and Ark-Tex Council of Governments (ATCOG), hereinafter known as “Participant” or “Agency”, who seeks to participate in the Targeted Low Income Program.

Whereas Frontier has been engaged by AEP Texas (“AEP Texas”, “Utility”), a Texas corporation, to assist with delivery of energy efficiency services to certain income-qualified electric distribution customers via the Targeted Low-Income Program (the “Program”); and

Whereas, Frontier desires to permit Participant to obtain incentives for eligible energy efficiency measures and services installed or performed at eligible residential properties as described in the current Program Guidebook, and Participant desires access to such incentives:

- 2.0 Referenced Documents. The installation of eligible energy efficiency measures and services at eligible residential properties as described in the current Program Guidebook (the “Work”) shall be accomplished in accordance with this Agreement, the current Program Guidebook, the current Kickoff Presentation, and any other program information or updates provided by Frontier to Participant via the program website, program-related documents and forms, or other communication from Frontier or Utility staff, and the current version of the Texas TRM.
- 3.0 Intellectual Property Rights. This Agreement does not convey ownership or any intellectual property rights to work product that Frontier developed, in whole or in part, prior to this agreement.
- 4.0 Frontier Energy. Frontier is solely responsible for directing Participant for all services required for the implementation of the Program in conformance with established guidelines and may, at its sole but reasonable discretion, adjust any compensation requested to comply with the Program guidelines.
- 5.0 Liability. Notwithstanding any other provisions in this agreement to the contrary, the liability of Frontier with respect to this Agreement shall not exceed the total price of this agreement, whether remedy is sought in contract, tort (including negligence), strict liability, warranty, indemnity or other legal theory. In no event shall Frontier be liable to Participant in contract, tort (including negligence), strict liability, warranty, indemnity or other legal theory for any special, indirect, incidental, or consequential damages, such as but not limited to loss of anticipated profits or revenue, loss of use or non-operation, or increased expense of operation.

- 6.0 Term. The term of this Agreement shall end on December 31, 2024, unless extended per mutual written consent by Frontier and Participant. All Authorized Work shall be completed by November 15, 2024, unless a modified timetable is agreed to in writing by both parties.
- 7.0 Funding Allocation. Participant’s funding allocation for the current program year is indicated in P3. This allocation shall cover all costs of determining participant eligibility, conducting assessments, installing eligible measures, and agency administrative incentives. The Agency is wholly responsible for managing its allocation to ensure it does not overspend during the program year. This allocation may be increased or decreased after periodic reviews of the agency’s progress toward completing performance milestones are completed; changes to the agency’s allocation will be communicated via email to the agency’s contact listed in section 31.0, and updated in P3.
- 8.0 Performance Milestones. Participant must demonstrate they are on track to spend the funding allocated to them in a timely manner. Frontier will review Participant progress throughout the program year and may increase or decrease a Participant’s allocation depending on such progress. Agency performance toward meeting program milestones will be reviewed on or about May 1 and August 1 each program year. Agencies generally are expected to have invoiced for at least 25% of their budget allocation by May 1 and 75% by August 1. Agencies that are behind these milestones may have their allocations reduced for the remainder of the program year. Frontier shall notify Participant of any changes to a Participant’s allocation in writing to the Participant.
- 9.0 Customer Outreach and Eligibility Determination. Agency will utilize its own resources to identify eligible customers and shall verify income eligibility using eligibility verification procedures outlined in Texas Administrative Code (TAC) Rules for Energy Assistance Programs. Agency will verify that the customer premise is in the electric distribution service territory of Utility by obtaining the ESI ID number or meter ID number from the customer and inputting this number into the program database.
- 10.0 Assessments. For homes determined to be eligible using the procedures outlined in Section 9.0 and the Program Guidebook, Agency’s certified assessor shall conduct an assessment using the National Energy Audit Tool (NEAT audit) to determine the applicability and Savings-to-Investment (SIR) ratio for eligible energy efficiency measures as indicated in the Program Guidebook.
- This assessment will include a blower door and duct blaster test wherever applicable. As part of the assessment, the Agency is responsible for verifying that the health and safety of customers will not be impacted by the installation of any of the above measures. This may include but is not limited to conducting lead-safe renovation practices in accordance with US EPA regulations, and verifying pre- and post-installation carbon monoxide levels and pre- and post-installation ventilation rates.
- 11.0 Assessment Incentive. The incentive for conducting assessments is based on performance of the NEAT Audit (including pre- and post-installation blower door test and, if applicable, pre- and post-installation duct leakage measurement), or on use of the multifamily priority list. Incentives, and any limits thereon, are as described in the current year’s Program Guidebook.

- 12.0 Determination of Measures to be Installed. The NEAT audit will be configured with measure cost, weather, and Utility rate data specific for the Program. The NEAT audit will be used to determine which measures are eligible to be installed. Eligible measures must have an SIR of 1.0 or higher, up to the maximum per-home expenditure as listed in the Program Guidebook. Agency shall input measure data from measures recommended by the NEAT audit into the program database. The program database will be used to calculate and track assessment incentives, measure installation costs, and administrative payments.
- 13.0 Submittal of Homes for Pre-Approval. Agency shall submit homes for pre-approval via the program database. Submittals for pre-approval shall consist of all required project, customer, premise, and measure data and supporting documentation. Agency shall upload a copy of the Income Verification Form, a copy of the NEAT audit report, and any additional documentation required to support the proposed measures via the program database before submitting a home for pre-approval.
- 14.0 Payment. After pre-approval, Frontier shall provide prepayment for properly submitted work orders within thirty calendar days of approval. Prepayments will reflect measure incentive amounts, but will withhold the 8% agency administration fee. Upon final submittal and approval of homes, pre-paid amounts will be reconciled against final incentives earned (including the agency administration fee), and the remainder paid to the agency.
- 15.0 Installation of Measures. Agency shall perform and/or coordinate the installation activities, as well as any required post-installation services, such as installation verifications and the recycling or disposal of old appliances. All work shall be performed in a workmanlike manner, consistent with industry and TDHCA measure installation standards. Agency shall complete all required services and input updated measure installation data for each home included in a work order within forty-five (45) days of work order submittal.
- 16.0 Installation Reporting. Agency shall update installation data and upload a copy of the Customer Certification Form using the Program database for each home as soon as measures are installed. For homes where the air infiltration measure is included, a post-installation manometer reading photo must be uploaded.
- 17.0 Agency Administration Incentive. The program database will include in the installation report the installation costs, using the updated measure installation data, plus the Agency's administration incentive, which is **eight percent (8%)** of the measure installation costs.
- 18.0 Reconciliation of Work Order and Installation Report. The agency will correct the database to reflect any differences between measures that were included in the work order and measures installed in the home. In consideration of satisfactory performance of the work as outlined above, Frontier will reconcile the total amount due on the installation report against the corresponding work order payment. Any amount over or under paid shall be credited against or added to the amount requested on the next work order submitted after this installation report, or in the case of work completed near the end of the term of this Agreement, within 30 days.
- 19.0 On-Site Inspections. Agency shall inform all customers that follow-up on-site inspections and/or surveys may be required by Frontier, the sponsoring utility, or third-parties operating on their

behalf, including the Texas Evaluation, Measurement and Verification team. While rare, a single customer may be required to have multiple inspections from different parties. These inspections are aimed at validating that all program process and requirements are fully met.

- 20.0 Sales Taxes. Participant is responsible for payment of all sales taxes. Applicable state and local sales tax should be added to the prices submitted for all measures and services.
- 21.0 Independence of Participant. Participant shall be fully responsible for its own acts and omissions in addition to the acts and omissions of its affiliates, directors, officers, employees, and subcontractors, and shall be specifically responsible for sufficient and competent supervision and inspection to assure compliance in every respect with Agreement requirements. Frontier shall not be responsible for the payment of any sums to any of the Participant's subcontractors or suppliers.
- 22.0 Standards, Codes, Laws and Regulations. Participant shall comply with all applicable laws, rules, regulations, codes and standards of all federal, state, local and municipal Governmental Authority having jurisdiction over the Work covered by this Agreement.
- 23.0 Background Checks. Participant shall be responsible for conducting criminal background checks on all personnel who will be working in the home or on the property of any customer who is participating in the Program. Any records matching any assigned personnel to the Texas Department of Public Safety criminal history file, sex offender registration or other name- based files shall be reported immediately to Frontier.
- 24.0 Insurance. Participant represents and agrees that it and its subcontractors will carry and provide proof of all required insurance as stated in the Program Guidebook throughout the term of the Agreement.
- 25.0 Termination for Cause. If Participant fails to perform a material term or condition of this Agreement, and fails to cure such default within 30 calendar days after receipt of written Notice of Default and Termination from Frontier, Frontier may declare this Agreement terminated, effective on the last day of said notice period ("Termination Date"). Participant shall be paid for all undisputed Work performed prior to the Termination Date. The following grounds for termination for cause:
- the failure, refusal or inability of the Participant to perform any material aspect of the Work in accordance with this Agreement (except as specified in Section 39, "Force Majeure"); or
 - Participant has become insolvent, has exhibited a pattern of failure to pay its bills, or has had checks for payment of its bills returned from suppliers and subcontractors due to insufficient funds; or
 - a court of law has enjoined Participant from performing the Work; or
 - In Frontier's reasonable judgment, the Work will not be completed within the specified time and/or budget and Frontier has reasonably requested Participant to take steps necessary to accomplish the required progress and completion and/or cost containment, and Participant has failed to do so; or
 - Participant has misused the corporate name, brand, or logo associated with Utility or Frontier.

- 26.0 Termination for Convenience. Notwithstanding anything to the contrary, Frontier reserves the right to terminate or suspend this Agreement at any time, for any reason, after providing Participant with no less than 30 days prior written notice. If, however, after consulting with Frontier, it is Participant's opinion that any of the Work is in a state such that interruption thereof would result in substantially increased costs upon resumption of the Work, Participant may complete that portion of the Work and Frontier will make incentive payments to Participant within 30 days of completion of the Work.

Participant shall resume any of the Work so interrupted, suspended or delayed when directed to do so by Frontier, provided, however, that the schedule and the time for performance shall be revised by a period of time reasonably necessary to overcome the effect of the interruption, suspension or delay. Other provisions of this Agreement, such as the delivery dates and terms of payment, will also be adjusted if necessary and as appropriate. Participant shall make every reasonable effort to minimize any additional expense pursuant to this Section.

Participant may terminate this Agreement for any reason upon forty-five (45) days written notice to Frontier. Failure to provide such notice will maintain this Agreement in full effect with all provisions included herein.

- 27.0 Reporting. Participant will provide data and required documentation, either by inputting or uploading required documents to the Program database, as specified in this Agreement.
- 28.0 Records and Audit. Participant's records, correspondence, procedures and practices and any other supporting evidence relating to this Agreement (all of the foregoing hereinafter referred to as "Records") shall be open to inspection and subject to audit and/or reproduction, during normal working hours, by Frontier or its authorized representative to the extent necessary to adequately permit evaluation and verification of customer eligibility forms, income documentation, customer agreement, and other Program documentation. Frontier or its authorized representative shall have access to said Records from the effective date of this Agreement, for the duration of the Work and until three (3) years after the date of final payment by Frontier to Participant pursuant to this Agreement.
- 29.0 Use of Name. Participant may not use Utility's or Frontier's corporate name, trademark, trade name, logo, identity or any affiliation for any reason, including soliciting customers for participation in its project, without Utility's or Frontier's prior written consent.
- 30.0 Publicity. Information relating to this Agreement may be released for publication and/or advertising only with the prior written approval of Frontier and Participant. Participant is expressly prohibited from using Utility's or Frontier's name in any publication, advertising, or promotion without Frontier's prior written consent, as applicable. Frontier is expressly prohibited from using Participant's name in any publication, advertising, or promotion without Participant's prior written consent.
- 31.0 Indemnity. Participant agrees to indemnify, defend, and hold harmless, Frontier and Utility, their officers, directors, employees, agents and independent contractors, and their affiliates, and each of their respective officers, directors, employees, agents and independent contractors from and against any and all liabilities resulting from third party claims for loss, damage, or injury to

persons or property (“Liabilities”) arising from the negligence or misconduct of Participant, its affiliates, directors, officers, employees, and subcontractors.

32.0 Infringement Protection. Participant represents to Frontier and Utility that the material prepared under this Agreement will not infringe on the copyright, patent, or license, or otherwise violate the proprietary rights, including trade secret rights, of any person or entity. Participant agrees to indemnify and hold Frontier and Utility, harmless from and against all liabilities, costs and damages arising out of such infringement, as well as claims of infringement. Participant further agrees to pay any judgment or reasonable settlement offer resulting from a suit, demand or claim, and pay any reasonable attorney’s incentives incurred by Frontier or Utility in defense of such a suit.

33.0 Notices. All notices required or permitted under this Agreement shall be in writing and shall be deemed delivered when delivered in person or deposited in the United States mail, postage prepaid, addressed as follows, unless otherwise noted:

Frontier:

Name: Steve Wiese
 Title: Director
 Frontier Energy
 1515 S Capital of Texas Hwy
 Ste. 110
 Austin, TX 78746-6544
swiese@frontierenergy.com

Agency:

Name: Mary Beth Rudel
 Title: Executive Director
 Company: Ark-Tex Council of Governments
 Street Address 1: 4808 Elizabeth Street
 Street Address 2: _____
 City/State/ZIP: Texarkana, Texas 75503
 Email: mrudel@atcog.org

Such information may be changed from time to time by either party by providing written notice to the other in the manner set forth above.

34.0 Entire Agreement. This Agreement constitutes the entire understanding of the parties with respect to the Work, and there shall be no modification or waiver hereof except by writing, signed by the party asserted to be bound thereby. There are no oral representations or agreements between the parties.

35.0 Time is of the Essence. The parties hereby acknowledge that time is of the essence in performing the duties under this Agreement. Failure to comply with stated deadlines or milestones may result in termination of this Agreement, payments being withheld, or other contractual modifications.

36.0 No Waiver. The failure of either party to enforce or insist upon compliance with any of the terms or conditions of this Agreement shall not constitute a general waiver or relinquishment of any such terms or conditions, but the same shall be and remain at all times in duly force and effect.

37.0 Applicable Law. This Agreement shall be governed by the laws of the State of Texas, without application of its conflict of laws provisions. Venue shall lie exclusively in the state courts of Travis County, Texas, unless such cause of action is within the jurisdiction of the Public Utility Commission of Texas (PUCT), in which case the proper venue and jurisdiction will be at the PUCT.

38.0 Assignment Prohibited. This Agreement may not be assigned by either party without the written consent of the other party. Arrangements between Participant and subcontractors which result in

the assumption of substantial contractual obligations by the Participant shall be considered as an assignment and shall be subject to the provisions of this paragraph.

- 39.0 Modification. This Agreement may not be modified except by written agreement.

- 40.0 Severability. If any term or provision of this Agreement shall, to any extent, be held invalid or unenforceable, the remaining terms and provisions of this Agreement shall not be affected thereby, but each remaining term and provision shall be valid and enforced to the fullest extent permitted by law.

- 41.0 Force Majeure. Neither party shall be liable to the other for any delay in or failure of performance, nor shall any such delay in or failure of performance constitute default, if such delay or failure is caused by “Force Majeure.” As used in this Section, Force Majeure is defined as: Acts of war and acts of God such as earthquakes, floods and other natural disasters, or actions of others, including but not limited to strikes, lockouts or other industrial disturbance, not within the control or arising from the fault of the Party claiming Force Majeure.

- 42.0 No Joint Enterprise. Each party shall perform its obligations under this Agreement as an independent contractor, and nothing contained herein shall be deemed to create, nor does it create, any association, partnership, joint venture, or relationship of principal and agent or master and servant between the parties, or to provide either party with the right, power or authority, whether express or implied, to create any duty or obligation on behalf of the other party.

- 43.0 Attorney’s Fees. In the event of any legal action or other proceeding between the parties arising out of this Agreement or the transactions contemplated herein, the prevailing party in such legal action or proceeding shall be entitled to have and recover from the other party all costs and expenses incurred therein, including reasonable in-house and outside attorneys' incentives.

AGREED as of 2/23/2024 2024.

Frontier Energy, Inc.

Participant

By: _____
Name: Steve Wiese
Title: Director

By: Mary Beth Rudel
Name: Mary Beth Rudel
Title: Executive Director

BRIEFING PAPER

ITEM 8:

Review and consider approval of a nominee to serve on the Texas Community Development Block Grant (TxCDBG) Unified Scoring Committee.

BACKGROUND:

The Texas Department of Agriculture (TDA) administers the non-entitlement portion of the Texas Community Development Block Grant (TxCDBG) Program funded federally by the U.S. Department of Housing and Urban Development (HUD).

The 24 state planning regions are responsible for assisting in the process, which will ultimately establish scoring criteria used by TDA to select applicants for funding under the TxCDBG Community Development (CD) Fund for the 2025-2026 application cycle.

DISCUSSION:

Each state planning region is provided an opportunity to nominate one representative for appointment to a 24-member Unified Scoring Committee. Members will participate in a committee meeting and select state-wide scoring factors for 2025-2026 CD Fund applications.

The ATCOG Board is responsible for this representative nomination. The nominee must meet the following criteria:

- Currently serving as an elected or appointed official of a non-entitlement community;
- Able to pass a basic background check; and
- Available to travel to the Unified Scoring Committee meeting and related training in San Antonio, Texas on April 10, 2024.

The ATCOG Board of Directors may select a new representative or elect to continue to be represented by the region's 2023-2024 USC Member, which is Mayor Lowell Walker. Mayor Walker is willing to serve in this role again should the board elect him to continue serving.

RESOLUTION NO. AEC24-18

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS APPROVING A NOMINEE TO SERVE ON THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT (TXCDBG) UNIFIED SCORING COMMITTEE.

WHEREAS, the Texas Department of Agriculture (TDA) administers the non-entitlement portion of the Texas Community Development Block Grant (TxCDBG) Program funded federally by the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, the 24 state planning regions are responsible for assisting in the process, which will ultimately establish scoring criteria used by TDA to select applicants for funding under the TxCDBG Community Development Fund for the 2025-2026 application cycle; and

WHEREAS, each state planning region is provided an opportunity to nominate one representative for appointment to a 24-member Unified Scoring Committee; and

WHEREAS, the ATCOG Board of Directors may select a new representative or elect to continue to be represented by the region's 2023-2024 USC Member.

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

- Section 1 - That the Executive Committee approves the nomination of _____ to serve on the Texas Community Development Block Grant (TxCDBG) unified scoring committee.
- Section 2 - That the Executive Director, Mary Beth Rudel, has full authority to act on behalf of the ATCOG Board in all matters pertaining to the Unified Scoring Committee representative.
- 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 29TH DAY OF FEBRUARY, 2024.

**Bobby Howell, President
Board of Directors
Ark-Tex Council of Governments**

ATTEST:

BRIEFING PAPER

ITEM 9:

Review and consider approval of the submission of the following applications for FY24 State Homeland Security Program (SHSP) grant funds through the Office of the Governor Homeland Security Grant Division.

BACKGROUND:

The State requires that each applicant submit a resolution with the application for funding, signifying that the applicant's governing body approves of the agency applying for the funding and is willing to abide by the grant requirements.

DISCUSSION:

ATCOG will be applying for two projects under the SHSP grant program.

- ATCOG is applying for funding in the amount of \$96,000 for the ATCOG Planning, Training, and Exercises project. This project will cover a 12-month period and include salary for two positions (Homeland Security Coordinator and Finance Specialist), employee benefits, office rent, postage, copying expenses, office telephone and ATCOG indirect expenses as well as travel for training and State/Regional meetings, and annual contracts for regional support (regional mass notification system, WebEOC, and EOC support equipment). This project will provide planning, training, and exercise services related to prevention, protection, mitigation, response, and recovery from terrorist activities for the nine-county region.
- ATCOG will be applying for funding in the amount of \$76,000 for the ATCOG Regional Law Enforcement Planning and Training project. This project will cover a 12-month period. Budget items include \$76,000 in instructor fees to host training for law enforcement officers in the ATCOG region as well as salary and benefits for two positions (Homeland Security Coordinator and Criminal Justice Coordinator). This project will only be funded or partially funded if ATCOG does not meet its Law Enforcement Terrorism Prevention Activities (LETPA) requirement of 35%.

RECOMMENDATION:

Staff recommends approval.

RESOLUTION NO. AEC24-12-A

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS (ATCOG) APPROVING THE SUBMISSION OF APPLICATIONS FOR FY24 STATE HOMELAND SECURITY PROGRAM GRANT FUNDS THROUGH THE OFFICE OF THE GOVERNOR HOMELAND SECURITY GRANT DIVISION.

WHEREAS, it is in the best interest of the citizens of the ATCOG Region, that the ATCOG Regional Law Enforcement Planning and Training project be operated from September 1, 2024, through August 31, 2025; and

WHEREAS, ATCOG will provide matching funds for the said project as required by the Office of the Governor if applicable; and

WHEREAS, the ATCOG Board of Directors agrees that, in the event of loss or misuse of the Office of the Governor funds, the funds will be returned to the Office of the Governor in full;

WHEREAS, the ATCOG Board of Directors designates the Executive Director as the grantee's authorized official and is given the power to apply for, accept, reject, alter, or terminate the grant on the behalf of the applicant agency.

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

Section 1 - That the ATCOG Executive Committee approves the submission of an application for FY24 State Homeland Security Program grant funds through the Office of the Governor Homeland Security Grant Division.

Section 2 - That the Executive Director, Mary Beth Rudel, has full authority to act on behalf of the ATCOG Board in all matters pertaining to the submission of the application for FY24 state Homeland Security Program Grant funds through the Office of the Governor Homeland Security Grant Division.

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 29TH DAY OF FEBRUARY, 2024.

**Bobby Howell, President
Board of Directors
Ark-Tex Council of Governments**

ATTEST:

BRIEFING PAPER

ITEM 10:

Review and consider approval of prioritization of 2024 Homeland Security Grant Program funds.

BACKGROUND:

The State instructed regions to use allocation averages from the last three years as a guide for this year's funding. A funding allocation amount of \$230,000 was used as the estimated allocation amount. ATCOG has submitted roughly \$565,838 in projects. Once the Federal guidance is released from FEMA and the State determines each region's allocation, the State will review each jurisdiction's project individually and approve or disapprove each one.

DISCUSSION:

The Homeland Security Advisory Committee (HSAC) met on February 22, 2024, and reviewed the 2024 funding requests. Projects were submitted in numerous categories, such as Regional Planning, Interoperable Communications, Intelligence information sharing, and first responder capabilities. The HSAC scored the projects via ballot based on risk, reasonableness, and priority level. The Homeland Security Advisory Committee approved this item on February 22, 2024. The proposed 2024 funding distribution list is attached.

RECOMMENDATION:

Staff recommends approval.

Homeland Security Grant Funding Distribution List FY2024

Priority Ranking	score	Jurisdiction	Project Name	LETPA	Requested Amount
1	no score	Ark-Tex Council of Governments	Planning, Training, and Exercise	R	\$96,000.00
2	240	City of Texarkana	City of Texarkana-Tx- Communication Project	R	\$87,576.00
3	194.4	Hopkins County	Portable Radio Project	R	\$21,935.00
4	192	Franklin County	FCSO Unmanned Aerial Vehicle Program	L	\$27,920.40
5	191.25	Sulphur Springs	Mobile Radio Project	R	\$22,472.00
6	175	City of Paris	Paris PD Hazmat	R	\$18,361.00
7	173.8	Delta County	Delta County Drone Project	L	\$36,398.00
8	145	City of Reno	Mobile Command Post Repeater Upgrade	R	\$14,077.00
9	120	City of New Boston	License Plate Recognition in Dash camera	L	\$67,450.00
10	111	City of Mt Vernon	First Aide Project	L	\$26,000.00
11	No Score	Lamar County	Lamar County Special Response Operations Night Vision Project	L	\$71,650.00
12	no score	Ark-Tex Council of Governments	ATCOG Regional Law Enforcement Terrorism Prevention Training Project	L	\$76,000.00

NOTE: ATCOG Regional Law Enforcement Terrorism Prevention Training Project will be ranked last and only be funded or partially funded if we do not meet our regional LETPA requirement
 ATCOG training and exercise project will be ranked #1 and will not be effected in the event of a increase or decrease in total allocation
 Secondary Projects will be ranked at the bottom by score, and will only be funded if enough funding is available after all primary projects are funded.

Lamar County score was not added to the ballot due to project being ineligible.

RESOLUTION NO. AEC24-13

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS (ATCOG) APPROVING THE PRIORITIZATION OF PROJECTS FOR 2024 HOMELAND SECURITY GRANT PROGRAM FUNDS.

WHEREAS, only jurisdictions that meet the 2024 Homeland Security Grant Program requirements are eligible to receive these funds; and

WHEREAS, the projects were prioritized based on the allocation process previously approved by the ATCOG Executive Committee; and

WHEREAS, the Homeland Security Advisory Committee reviewed the projects submitted and recommended the attached prioritization of projects for approval; and

WHEREAS, the ATCOG Executive Committee must approve the prioritization of projects for Homeland Security Grant Program funds to be allocated to the jurisdictions in the ATCOG region.

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

Section 1 - The ATCOG Executive Committee approves the prioritization of projects for 2024 Homeland Security Grant program funds.

Section 2 - That the Executive Director, Mary Beth Rudel, has full authority to act on behalf of the ATCOG Board in all matters pertaining the prioritization of projects for 2024 Homeland Security Grant program 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 29TH DAY OF FEBRUARY, 2024.

**Bobby Howell, President
Board of Directors
Ark-Tex Council of Governments**

ATTEST:

BRIEFING PAPER

ITEM 11:

Review and consider approval of the submission of the applications for FY24 Statewide Emergency Radio Infrastructure grant funds through the Office of the Governor Homeland Security Grant Division.

BACKGROUND:

The Office of the Governor Homeland Security Grants Division (HSGD) has released applications for a Statewide Emergency Radio Infrastructure grant. The Statewide Emergency Radio Infrastructure funds are to support projects that support state and regional efforts to improve or sustain interoperable emergency radio infrastructure.

DISCUSSION:

The State requires that each applicant submit a resolution with the application for funding, signifying that the applicant's governing body approves of the agency applying for the funding and is willing to abide by the grant requirements.

ATCOG is applying for funding on behalf of jurisdictions in the ATCOG region up to a total amount of \$2 million. ATCOG will write and administer all of the emergency radio infrastructure grants on behalf of each county.

If awarded, the projects will provide jurisdictions with emergency radio equipment to improve communications and interoperability. This project list is attached.

RECOMMENDATION:

Staff recommends approval.

Statewide Emergency Radio Infrastructure Priority List FY2024

Jurisdiction	Project/Equipment	Amount	Project Description	Ranking
Hopkins County	Emergency Radio Equipment	\$ 458,000.00	450' Communication Tower	1
Delta County	Emergency Radio Equipment	\$ 458,000.00	450' Communication Tower	2
Franklin County	Emergency Radio Equipment	\$85,578.00	Dispatch Console	3
Bowie County	Emergency Radio Equipment	\$30,000.00	Helicopter radio communications	4
Lamar County	Emergency Radio Equipment	\$150,000.00	Backup dispatch capabilities (consoles)	5

RESOLUTION NO. AEC24-14

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS (ATCOG) THE SUBMISSION OF THE APPLICATIONS FOR FY24 STATEWIDE EMERGENCY RADIO INFRASTRUCTURE GRANT FUNDS THROUGH THE OFFICE OF THE GOVERNOR HOMELAND SECURITY GRANT DIVISION.

WHEREAS, it in the best interest of the citizens of the ATCOG region, that the ATCOG Regional Emergency Radio Infrastructure project be operated from October 1, 2024, through September 30, 2026; and

WHEREAS, ATCOG will provide matching funds for the said project as required by the Office of the Governor if applicable; and

WHEREAS, the ATCOG Board of Directors agrees that, in the event of loss or misuse of the Office of the Governor funds, the funds will be returned to the Office of the Governor in full; and

WHEREAS, the ATCOG Board of Directors designates the Executive Director as the grantee's authorized official and is given the power to apply for, accept, reject, alter, or terminate the grant on the behalf of the applicant agency.

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

Section 1 - That the ATCOG Executive Committee approves the submission of an application for FY24 Statewide Emergency Radio Infrastructure grant funds through the Office of the Governor Homeland Security Grants Division.

Section 2 - That the Executive Director, Mary Beth Rudel, has full authority to act on behalf of the ATCOG Board in all matters pertaining the submission of applications for FY24 Statewide Emergency Radio Infrastructure grant funds through the Office of the Governor Homeland Security Grant Division.

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 29TH DAY OF FEBRUARY, 2024.

**Bobby Howell, President
Board of Directors
Ark-Tex Council of Governments**

ATTEST:

BRIEFING PAPER

ITEM 12:

Review and consider approval of the submission of a grant application to the Office of the Governor Public Safety Office Criminal Justice Division.

BACKGROUND:

The Office of the Governor Public Safety Office Criminal Justice Division is soliciting applications for the FY2025 State Crisis Intervention Grant Program. The applications should support projects that promote prevention, intervention, and reduction of crime and violence and provide essential crisis services to at-risk populations within Texas Communities.

DISCUSSION:

ATCOG would like to submit an application for a training project titled The Specialized Regional Crisis Training Program. This program will provide specialized training for law enforcement and investigators in our region who respond to high-risk situations, as well as interpersonal violence, such as child abuse.

Upon approval, ATCOG will be applying for a total of \$48,337, to include approximately \$22,160 in contracted training costs. Training will be conducted by a TCOLE approved specialized training instructor/provider and arranged/hosted by ATCOG at various locations across the region. Contracted training to be included in the program will be Child Abuse Investigations training, Criminal Patrol/Drug Interdiction training, Search Warrants training, and Advanced Vehicle Contraband Concealment training. This program will have a 12month project period.

Applications are due March 14, 2024, with a grant start date of October 1, 2024, if funded.

RECOMMENDATION:

Staff recommends approval.

RESOLUTION NO. AEC24-15

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS (ATCOG) APPROVING THE SUBMISSION OF A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR PUBLIC SAFETY OFFICE CRIMINAL JUSTICE DIVISION, THROUGH THE FY2025 STATE CRISIS INTERVENTION GRANT PROGRAM, TO PROVIDE SPECIALIZED REGIONAL CRISIS TRAINING FOR LAW ENFORCEMENT.

WHEREAS, the rules and regulations of the Office of the Governor Public Safety Office Criminal Justice Division require that this application be reviewed and approved by the Ark-Tex Council of Governments Board of Directors; and

WHEREAS, the Ark-Tex Council of Governments finds it in the best interest of the citizens of the Region that the Specialized Regional Crisis Training Program be operated for FY2025.

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

- Section 1 - That the ATCOG Executive Committee recognizes the Executive Director as the Authorized Official and has been given the power to apply for, accept, reject, alter, or terminate a grant with the Office of the Governor Public Safety Office Criminal Justice Division for a grant to provide Specialized Regional Crisis Training for law enforcement.
- Section 2- That this grant project has been reviewed by the Executive Committee, and is listed as a priority in the Regional Strategic Plan, and is approved for submission to the Office of the Governor Public Safety Office Criminal Justice Division.
- Section 3 - That the above-mentioned training services are desirable and urgently needed in the region, and the Board of Directors agrees that, in the event of loss or misuse of funds, that funds will be returned to the Office of the Governor-Public Safety Office, Criminal Justice Division.
- Section 4 - That the ATCOG Executive Director, Mary Beth Rudel, has full authority to act on behalf of the ATCOG Board in all matters pertaining to the grant submission.
- Section 5 - 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 29TH DAY OF FEBRUARY, 2024.

**Bobby Howell, President
Board of Directors
Ark-Tex Council of Governments**

ATTEST:

BRIEFING PAPER

ITEM 13:

Review and consider approval of the list of representatives as reappointments/appointments to serve on the Regional Criminal Justice Advisory Committee (RCJAC) through December 31, 2025.

BACKGROUND:

The members of the RCJAC are appointed or reappointed at the beginning of each even-numbered year and are nominated for appointment/reappointment by their respective County Judges. There is a total of 29 members on the committee, and the number of members per county is based on population. If a vacancy should exist during the two-year term, a new appointment shall be presented to the ATCOG Board of Directors/Executive Committee for approval to fill the vacancy.

DISCUSSION:

A list of all appointed or reappointed members of the RCJAC has been provided (See attachment). These members will serve their two-year membership terms during the 2024 and 2025 calendar years.

RECOMMENDATION:

Staff recommends approval.

**ARK-TEX COUNCIL OF GOVERNMENTS
REGIONAL CRIMINAL JUSTICE
ADVISORY COMMITTEE
2024/2025**

BOWIE COUNTY
<p>Melissa Simpson, Chief Juv. Probation Officer Bowie County Juvenile Probation Category: Juvenile Justice</p>
<p>Capt. Michael Henry, Texarkana (TX) Police Department Category: Law Enforcement</p>
<p>Mark Shermer, Bowie County Schools B.A.S.E. Class Instructor Bowie County Sheriff's Office Category: Substance Abuse Prevention/Education</p>
<p>Jim Roberts, City Administrator City of Wake Village Category: Municipalities</p>
<p>Tom Whitten Bowie County Commissioner, Precinct 2 Category: Courts</p>

CASS COUNTY
<p>Greg Restelle, Chief of Police Atlanta Police Department Category: Law Enforcement</p>
<p>Rex Bloodworth, Cass County Sheriff's Office Category: Law Enforcement</p>
<p>Wayne Mosley, Hughes Springs ISD Category: Education</p>
<p>Scott Dupree, Chief Juv. Probation Officer Cass County Juvenile Probation Category: Juvenile Justice</p>

DELTA COUNTY
<p>Cynthia Humphries, Attorney at Law Category: Courts</p>

FRANKLIN COUNTY

Max Cannaday, Emergency Management Coordinator
Franklin County
Category: County

Leah Thomas, Mt. Vernon Police Department
Category: Substance Abuse Prevention

HOPKINS COUNTY

Robert Newsom, Hopkins County Judge
Category: Courts

Jason Ricketson, Chief of Police
Sulphur Springs Police Department
Category: Law Enforcement

Angela Price, Hopkins County Sheriff's Office
Category: Substance Abuse Prevention

Amy Glenn, Lake Country CASA
Category: Nonprofit/Victim Services/Mental Health

LAMAR COUNTY

Darrell W. Bruce, Chief Juv. Probation Officer
Lamar County Juvenile Probation
Category: Juvenile Justice

Scott Cass, Lamar County Sheriff
Category: Law Enforcement

Danny Huff
Category: Citizen

Robert Vine, Deputy City Manager
City of Paris
Category: Municipalities

Marissa Norman
Lake Regional MHMR-Paris
Category: Mental Health/Substance Abuse Prevention/Victim Services

MORRIS COUNTY

Jack Martin, Morris County Sheriff
Category: Law Enforcement

Tracey Climer, Chief of Police
Daingerfield Police Department
Category: Law Enforcement

RED RIVER COUNTY
Sherry Edwards, Chief Juv. Probation Officer Red River County Juvenile Probation Category: Juvenile Justice
Sheana Johnson, Water Office Secretary City of Bogata Category: Municipalities, Victim Services

TITUS COUNTY
Mark Buhman, Chief of Police Mt. Pleasant Police Department Category: Law Enforcement
Clint Bain, Titus County Sheriff's Office Category: Law Enforcement
Ronnie Humphrey, Chief of Police Mt. Pleasant ISD Police Department Category: Substance Abuse Prevention, Juvenile, Education
Brian Clayton, Chief Juv. Probation Officer Titus County Juvenile Probation Category: Juvenile Justice

Approved by ATCOG Board 02/29/24

RESOLUTION NO. AEC24-16

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS APPROVING THE REGIONAL CRIMINAL JUSTICE ADVISORY COMMITTEE (RCJAC) MEMBER LIST FOR THE 2024/2025 TERM, TO SERVE THROUGH DECEMBER 31, 2025.

WHEREAS, the rules and regulations of the Office of the Governor Public Safety Office Criminal Justice Division require that the RCJAC, representing the Ark-Tex Council of Governments (ATCOG) region, is maintained by ATCOG Criminal Justice staff; and

WHEREAS, according to the RCJAC Bylaws, RCJAC terms of membership shall be two years and members may be reappointed to serve additional terms.

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

Section 1 - That the ATCOG Executive Committee approves the RCJAC Member List for the 2024/2025 term to serve through December 31, 2025.

Section 2- In the event that there is an RCJAC member vacancy during 2024/2025, a new appointment shall be presented to the ATCOG Board of Directors/Executive Committee for approval to fill the vacancy.

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 29TH DAY OF FEBRUARY, 2024.

**Bobby Howell, President
Board of Directors
Ark-Tex Council of Governments**

ATTEST:

BRIEFING PAPER

ITEM 14:

Review and consider approval of the submission of an application for Rural Business Development Grants (RBDG) Revolving Loan Funds (RLF) grant to the United States Department of Agriculture (USDA).

BACKGROUND:

The USDA posted a notice of solicitation of applications for the RBDG programs for FY2024 to the Federal Register. RBDGRLF grant is a competitive grant designed to support activities leading to the development or expansion of small and emerging private businesses in rural areas that have fewer than 50 employees and less than \$1 million in gross revenues. Information received from USDA indicated that ATCOG should apply to increase capital base with RBDG RLF.

DISCUSSION:

ATCOG wishes to apply for a RBDG Revolving Loan Fund (RLF) grant in the amount of \$1,000,000 with no match requirement. The RBDG RLF will allow ATCOG to loan funds to small and emerging businesses within the region at a low interest rate, which will assist small and emerging businesses within the region. ATCOG's current RBDG RLF does not allow for capitalization projects, but acquiring the new RBDG funds will enable us to reach additional markets.

Therefore, ATCOG staff request approval to submit the application for funding to USDA.

RECOMMENDATION:

Staff recommends approval.

RESOLUTION NO. AEC24-17

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS (ATCOG) APPROVING THE SUBMISSION OF A GRANT APPLICATION TO THE UNITED STATES DEPARTMENT OF AGRICULTURE FOR RURAL BUSINESS DEVELOPMENT GRANTS (RBDG) REVOLVING LOAN FUND (RLF).

WHEREAS, the Notice of Solicitation of Applications for inviting applications for the Rural Business Development Grant Programs for Fiscal Year 2024 was posted to the Federal Register on December 4, 2023; and

WHEREAS, the application for funds is recommended for recapitalization of USDA RBDG RLF; and

WHEREAS, the RBDG RLF will benefit small and emerging businesses in rural areas within the ATCOG service area and/or beyond; and

WHEREAS, the ATCOG Board will review the RBDG RLF Plan upon grant approval.

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

Section 1 - That the ATCOG Executive Committee approves the application for Rural Business Development Grant Revolving Loan Fund grant in the amount of \$1,000,000 with no required matching funds.

Section 2 - That the Executive Director, Mary Beth Rudel, has full authority to act on behalf of the ATCOG Executive Committee in all matters pertaining to the application.

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 29th DAY OF FEBRUARY, 2024.

**Bobby Howell, President
Board of Directors
Ark-Tex Council of Governments**

ATTEST:
