

**JOINT AGENDA
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) will meet 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.

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

https://us06web.zoom.us/join/register/tZcsfu2vpzovG9Xit9T79Cp_pTzkmGltTTnZ

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, September 28, 2023. (See page 3)

Item 5. Review and consider 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). (See page 8; to be presented by staff member Toni Lindsey)

This concludes all NETEDD Agenda Items.

ATCOG Board of Directors Agenda Items

Item 6. Review and consider consent agenda items. (To be presented by Executive Director Mary Beth Rudel)

- Approval of the minutes as submitted for the ATCOG Board of Directors Meeting held Thursday, September 28, 2023. (See page 10)
- Acceptance of the minutes as submitted for the ATCOG Homeland Security Advisory Committee meeting held Thursday, November 16, 2023. (See [addendum page 1](#))

- Acceptance of the minutes as submitted for the ATCOG Regional Criminal Justice Advisory Committee meeting held Thursday, November 16, 2023. (See [addendum page 3](#))

Regular Business

- Item 7. Review and consider approval of new additional signature authority for Guaranty Bank and Trust. (See page 15; to be presented by Executive Director Mary Beth Rudel)
- Item 8. Review and consider approval of revisions to the ATCOG Policies and Procedures Manual. (See page 17; to be presented by Deputy Director Leslie McBride)
- Item 9. Review and consider approval of the revised ATCOG Procurement Policy and Procedure Manual. (See page 22 and [addendum page 15](#); to be presented by staff member Debbie Purifoy)
- Item 10. Review and consider approval of the ATCOG Threat and Hazard Identification and Risk Assessment (THIRA), State Preparedness Report (SPR), and the Homeland Security Implementation Plan for 2024. (See page 25 and [addendum page 96](#); to be presented by staff member Whitney Fezell)
- Item 11. Review and approve continual use of the allocation formula for FY2024 as the method for allocating State Homeland Security Program (SHSP) funds to jurisdictions. (See page 27; to be presented by staff member Whitney Fezell)
- Item 12. Review and consider approval of revisions to the Homeland Security Advisory Committee (HSAC) bylaws. (See page 31; to be presented by staff member Whitney Fezell)
- Item 13. Review and consider approval of the revisions to the Regional Criminal Justice Advisory Committee (RCJAC) Bylaws. (See page 40; to be presented by staff member Patricia Haley)
- Item 14. Review and consider approval of the revisions to the Regional Criminal Justice Advisory Committee (RCJAC) local priorities and the grant application scoring instrument. (See page 52; to be presented by staff member Patricia Haley)

Other Business

- Item 15. Texas Department of Agriculture's Downtown Revitalization Program information. (To be presented by staff member Toni Lindsey)

Announcements

The next Executive Committee meeting will be held 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.

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
September 28, 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, September 28, 2023, at the Sulphur Springs Country Club, 511 Country Club Road, Sulphur Springs, Texas, and via videoconference.

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

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

Item 3. Public Comment.

No member of the public made a comment.

Judge Howell recognized the following new Board members:

- Chris Brown, Hopkins County Hospital District, Hopkins County
- Greg Lewis, Clarksville Independent School District, Red River County
- Delores Simmons, City of Bloomburg, Cass County

ATCOG Board of Directors Agenda Items

Executive Closed Session

Item 4. Judge Howell announced that the Open Session would recess and go into Executive Closed Session to discuss personnel matters as allowed in the Texas Open Meetings Act, Section 551.074, Executive Director's position.

Open Session/Regular Business

Item 5. The Board of Directors reconvened in Open Session to discuss the Executive Director's position.

Motion to hire Mary Beth Rudel as the Executive Director of ATCOG was made by Lowell Walker, Mayor, City of DeKalb, and seconded by Travis Ransom, Judge, Cass County. It was approved.

Judge Howell requested the Board to consider the second portion of the Executive Director's position.

Motion to pay the Executive Director an annual salary of \$135,000 was made by Scott Lee, Judge, Franklin County, and seconded by Robert Newsom, Judge, Hopkins County. It was approved.

The Board expressed their congratulations to Ms. Mary Beth Rudel.

Item 6. Ms. Rudel presented for review and consideration approval for the following consent agenda items.

- Approval of the minutes as submitted for the ATCOG Board of Directors Meeting held Thursday, August 31, 2023.
- Acceptance of the minutes as submitted for the ATCOG Homeland Security Advisory Committee meeting held Thursday, August 23, 2023.

- Ratification of the Interlocal Cooperation Agreement between ATCOG and the Public Safety Office within the Office of the Governor.

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

Item 7. Ms. Rudel presented the Commission on State Emergency Communication (CSEC) FY2022 9-1-1 Program review. CSEC concluded its review and identified ATCOG's 9-1-1 Program as low risk.

Ms. Rudel commended Rea Allen, 9-1-1 Director, and her team on all the review factors and ensuring ATCOG has accurate data and the region's Public Safety Answering Points (PSAPS).

Item 8. Ms. Rudel presented for review and consideration approval of the revised FY2024 indirect rate recommended by Texas Health and Human Services (HHS).

The ATCOG Board of Directors approved an Indirect Rate of 26.09% at the August Board meeting when the FY2024 Financial Workplan was presented.

HHS recommended using audited figures rather than estimated figures when calculating the indirect rate. With the revised calculations in place, HHS, as ATCOG's cognizant agency, recommended and approved the indirect rate of 25.33% of salary and fringe expenses.

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Item 9. Ms. Rudel presented for review and consideration approval of the utilization of ATCOG's indirect cost rate for ATCOG employees working on behalf of the Texarkana Urban Transit District (TUTD).

TUTD will piggyback off ATCOG's rate because ATCOG has signed a contract with TUTD to provide service; therefore, ATCOG's board should give TUTD permission to charge an indirect cost rate. The indirect cost rate for Oct. 1, 2023 – Sept. 30, 2024, is 25.33%.

Motion to approve was made by Scott Norton and seconded by Chris Brown. It was approved.

Item 10. Ms. Debbie Purifoy presented for review and consideration approval of a resolution selecting Pattillo, Brown & Hill, LLP to provide auditing services to begin October 1, 2023.

ATCOG issued a Request for Proposal (RFP) for auditing services on July 11, 2023. ATCOG received three proposals in response to our RFP by the deadline of August 21, 2023: Salter Elite Consulting; Pattillo, Brown & Hill, LLP; and Carr, Riggs & Ingram, LLC.

Pattillo, Brown, & Hill's proposal was selected for recommendation to the Board based on the overall cost-effectiveness and relevant experience with similar agencies. The auditing services will begin October 1, 2023, and extend through September 30, 2024, with four possible one-year extensions if approved by the ATCOG Board of Directors.

Motion to approve was made by Stan Wyatt, Northeast Texas Municipal Water District, and seconded by Brandon Bell, Judge, Lamar County. It was approved.

Item 11. Mr. Claude Ramsey presented for review and consideration approval of the purchase of a generator for use at the main Texarkana facility.

ATCOG's current generator was purchased in 2007, and maintenance records spanning the past 16 years reveal a significant volume of repairs performed. The generator supplies backup power at the main Texarkana facility for the 9-1-1 host public safety answering point (PSAP), the regional

emergency operations center (should it be activated during disaster situations), and other offices and parts of the facility. It is imperative to consider replacement when the generator is essential to public emergency systems. In this case, the age of the generator, the history of repairs, and the unavailability of replacement parts due to the discontinuation of the current generator model necessitate the replacement of the generator.

A proposal for a new generator of similar capacity was provided by a vendor utilizing The Interlocal Purchasing System (TIPS) in the amount of \$74,950. CSEC will reimburse \$40,000 to ATCOG, and ATCOG local funds will pay the remaining amount.

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

Item 12. Ms. Marla Matthews presented for review and consideration approval to combine the November Executive Committee and December Board of Directors meetings into one Board of Directors meeting to be held Thursday, December 7, 2023.

According to ATCOG Bylaws, Article V, Section H, the Executive Committee shall meet monthly, and ATCOG Board Meetings have been set as the last Thursday of each month. This year, the dates fall the week after Thanksgiving Day in November and the Thursday between Christmas Day and New Year's Eve in December. Therefore, schedule conflicts arise during the holiday season, and meeting preparations become challenging.

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

This concludes all ATCOG agenda items.

NETEDD Agenda Items

Item 13. Judge Howell presented for review and consideration approval of the minutes as submitted for the NETEDD meeting held Thursday, August 31, 2023.

Motion to approve was made by Judge Bell and seconded by Judge Lee. It was approved.

Item 14. Ms. Toni Lindsey presented for review and consideration approval of the NETEDD 2023 – 2028 Comprehensive Economic Development Strategy (CEDS) 2023 update.

The Northeast Texas Economic Development District (NETEDD) Comprehensive Economic Development Strategy (CEDS) is a pre-requisite for federal designation as an economic development district and must be updated at least every five (5) years. There are four (4) sections that must be included in the CEDS:

- 1) Summary Background – or a summary of the economic impacts of the ATCOG/NETEDD region;
- 2) SWOT Analysis – a deep analysis of the Strengths, Weaknesses, Opportunities, and Threats in the region;
- 3) Strategic Direction/Action Plan - strategies or goals and objectives that will guide the region forward; and
- 4) Evaluation Framework – performance measures used to evaluate the organization's implementation of the CEDS and its impact on the regional economy.

EDA requires that resiliency aspects be included within each section of the CEDS. City and County Hazard Mitigation Plans include resiliency planning as well. The NETEDD CEDS and jurisdictional Hazard Mitigation Plans support each other in relation to resiliency planning.

The latest CEDS will be accessible on the Regional Development page of the ATCOG website. It will also be submitted to EDA as a PDF document for upload and to each county in the NETEDD CEDS region. The goal is to provide a living/dynamic CEDS that encourages meaningful conversation and debate about the best practices, building capacity, and the state of the region to serve our economic development best.

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

This concludes all NETEDD agenda items.

Announcements

Ms. Rudel announced that the National Association of Development Organizations (NADO) 2023 Annual Training Conference will be held in Cleveland, Ohio, November 7-10, 2023. If interested, please contact Marla or Mary Beth by October 4th.

Judge Howell announced that the next Executive Committee meeting will be held on Thursday, October 26, 2023, at 10:00 a.m., at the Northeast Texas Small Business Development Center (SBDC), 2nd Floor, located at 105 North Riddle Avenue, Mt. Pleasant, Texas, and via videoconference.

With no further business to discuss, a motion to adjourn was made by Judge Ransom and seconded by Scott Norton. It was approved. Meeting adjourned.

NETEDD BOARD MEMBERS PRESENT

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

EXECUTIVE COMMITTEE MEMBERS PRESENT

Brandon Bell, Judge, Lamar County
Robert Bridges, Judge, Red River County
Bobby Howell, Judge, Bowie County
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Scott Norton, Executive Director/CEO, TexAmericas Center
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Doug Reeder, Judge, Morris County
Marc Reiter, Mayor, City of Hooks
Ann Rushing, Mayor, City of Clarksville
Stan Wyatt, NETX Municipal Water District Board

ATCOG BOARD MEMBERS PRESENT

Chris Brown, Board Member, Hopkins County Hospital District
Rosina Duckworth, Mayor Pro Tem, City of Cumby
David Fordinal, Mayor Pro Tem, City of Como
Brad Johnson, Board Member, Northeast Texas Rail District
George Moore, Board Vice President, Texarkana College
Jim Murray, Board Member, Como Pickton Independent School District
Gary Spraggins, Councilmember, City of Sulphur Springs
Lowell Walker, Mayor, City of DeKalb

GUESTS PRESENT

Roger Feagley, Sulphur Springs Hopkins County Economic Development Corporation
Buck Haynes, Como Pickton Independent School District
L.D. Williamson

STAFF MEMBERS PRESENT

Rea Allen, 9-1-1 Director
Jenny Butler, Area Agency on Aging Director
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, Human Resources Director
Hailey Neaves, Creative Media Specialist I
Paul Prange, Environmental Resources Coordinator
Debbie Purifoy, Compliance and Purchasing Officer
Claude Ramsey, IT Director
Mary Beth Rudel, Executive Director
Melinda Tickle, Finance Director
Bobby Williams, Transportation Operations Manager
Mary Wormington, Housing Director

Bobby Howell, President
Ark-Tex Council of Governments

ATTEST:

BRIEFING PAPER

ITEM 5:

Review and consider 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).

BACKGROUND:

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 in-kind match requirement of \$140,000.

DISCUSSION:

NETEDD is applying for 3-years of federal and in-kind funding in the amount of \$350,000. Budget items include:

- Personnel expenses in the amount of \$131,867 to cover development staff and designated finance specialists' budgeted staff hours for development projects, including grants and RLFs.
- Fringe benefits in the amount of \$69,493.
- Supplies in the amount of \$21,300 required for files, replacement monitors, and contingency supplies for continued remote work.
- Travel in the amount of \$80,540 during the next three years for economic development and continued training.
- Contractual costs in the amount of \$12,000 for website and online CEDS update and other contractual.
- Other expenses in the amount of \$12,792 include rent, copier, postage, telephone, dues, and miscellaneous expenses.
- Indirect expenses in the amount of \$22,008.

Travel includes in-region and out-of-region staff travel to attend meetings, trainings, conferences, and online training regarding EDA, CEDS, NADCO, and general training; and to provide community assistance.

This 3-year grant will allow NETEDD to continue working with the Comprehensive Economic Development Strategy (CEDS) committee to update the current five-year CEDS. The CEDS will continue to be updated annually with any significant changes in the region. NETEDD will also continue working with strategic partners in current regional initiatives, including researching deficits in the areas of communication, including broadband and transportation planning to ensure effective and efficient freight movement through the region, cost-savings to our industries, and profits to the transportation industry resulting in economic development and jobs. NETEDD will continue to partner with the Northeast Texas Workforce Board to prepare a skilled workforce. NETEDD continues to explore its role in alleviating the lack of homes, homelessness, and poverty throughout the region. Finally, NETEDD will continue to provide information in the CEDS in a useful and ease of access format for the entire regions benefit.

RECOMMENDATION:

Staff recommends approval.

RESOLUTION NO. NBD24-01

RESOLUTION OF THE NORTHEAST TEXAS ECONOMIC DEVELOPMENT DISTRICT, INC. (NETEDD) BOARD OF DIRECTORS, FOR THE ATCOG EXECUTIVE DIRECTOR TO SUBMIT AN APPLICATION FOR THE NETEDD 3-YEAR PLANNING GRANT THROUGH THE U.S DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) IN THE AMOUNT OF \$350,000.

WHEREAS, NETEDD is applying for \$210,000 of federal funds and providing in-kind match of \$140,000; and

WHEREAS, the NETEDD Board of Directors finds it in the best interest of the NETEDD Region that the 3-Year Planning Grant be executed from January 1, 2024, through December 31, 2026; and

WHEREAS, this 3-year grant will allow NETEDD to continue working with the Comprehensive Economic Development Strategy (CEDS) committee to update the current five-year CEDS; and

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

NOW, THEREFORE, BE IT RESOLVED BY THE NORTHEAST TEXAS ECONOMIC DEVELOPMENT DISTRICT, INC:

Section 1 - That the NETEDD Board of Directors approves submission of the grant application for the NETEDD 3-Year Planning Grant through the U.S Department of Commerce Economic Development Administration (EDA).

Section 2 - That the Executive Director, Mary Beth Rudel, has full authority to act on behalf of the NETEDD Board in all matters pertaining to the NETEDD 3-Year Planning Grant.

Section 3 - 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 7TH DAY OF DECEMBER, 2023.

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

ATTEST:

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David Fordinal, Mayor Pro Tem, City of Como
Brad Johnson, Board Member, Northeast Texas Rail District
George Moore, Board Vice President, Texarkana College
Jim Murray, Board Member, Como Pickton Independent School District
Gary Spraggins, Councilmember, City of Sulphur Springs
Lowell Walker, Mayor, City of DeKalb

GUESTS PRESENT

Roger Feagley, Sulphur Springs Hopkins County Economic Development Corporation
Buck Haynes, Como Pickton Independent School District
L.D. Williamson

STAFF MEMBERS PRESENT

Rea Allen, 9-1-1 Director
Jenny Butler, Area Agency on Aging Director
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, Human Resources Director
Hailey Neaves, Creative Media Specialist I
Paul Prange, Environmental Resources Coordinator
Debbie Purifoy, Compliance and Purchasing Officer
Claude Ramsey, IT Director
Mary Beth Rudel, Executive Director
Melinda Tickle, Finance Director
Bobby Williams, Transportation Operations Manager
Mary Wormington, Housing Director

Bobby Howell, President
Ark-Tex Council of Governments

ATTEST:

BRIEFING PAPER

ITEM 7:

Review and consider approval of the approval of new additional signature authority for Guaranty Bank and Trust.

BACKGROUND:

The Ark-Tex Council of Governments (ATCOG) Board of Directors approved selection of Guaranty Bank & Trust to provide banking services effective October 1, 2020. Currently, the approved signature authorities on ATCOG bank accounts are Judge Bobby Howell, ATCOG Board President; Mr. Scott Norton, ATCOG Board Vice-President; Judge Travis Ransom, ATCOG Board Secretary; Judge Scott Lee, ATCOG Board Treasurer; Ms. Mary Beth Rudel, ATCOG Executive Director; and Ms. Deborah Purifoy, ATCOG Compliance and Purchasing Officer. ATCOG named a new Deputy Director on November 1, 2023, thereby creating the need to designate signature authority to the staff member.

DISCUSSION:

ATCOG requests that signature authority be granted to ATCOG staff member Leslie McBride, Deputy Director, to be effective upon approval.

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

The addition of Ms. McBride ensures a smooth transition between the transfer of leadership of ATCOG and provides for continuity of operations should the Executive Director be unavailable.

RECOMMENDATION:

Staff recommends approval.

RESOLUTION NO. ABD24-01

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

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

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

WHEREAS, ATCOG named a new Deputy Director on November 1, 2023, creating the need to designate signature authority to the staff member; and

WHEREAS, the new Deputy Director, effective November 1, 2023, Ms. Leslie McBride, needs approval to conduct banking business and authority to sign checks and documents; and

WHEREAS, ATCOG staff member will be added to the accounts effective upon approval: Leslie McBride, Deputy Director.

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

Section 1 - That Leslie McBride, Deputy Director, is approved as a new signatory authority at Guaranty Bank and Trust, with authority to conduct banking business and sign documents for ATCOG effective upon approval.

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 7TH DAY OF DECEMBER, 2023.

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

ATTEST:

BRIEFING PAPER

ITEM 8:

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

BACKGROUND

The Board of Directors is required to approve all revisions to the Policies and Procedures Manual and Procurement Policy.

DISCUSSION

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

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

RECOMMENDATION

Staff recommends approval.

15.03 EMPLOYEE PERFORMANCE REVIEWS

The Executive Director will implement a system to subjectively evaluate every employee's job performance at regular intervals.

1. Employee job performance reviews shall be conducted as follows:

a. ~~Performance reviews will be conducted annually in May. Quarterly according to the established schedule below:~~

~~1st Quarter May July~~

~~2nd Quarter August October~~

~~3rd Quarter November January~~

~~4th Quarter February April~~

b. A review can be performed at any time at the request of the supervisor, either when the supervisor deems job performance warrants a merit increase or notices a significant decline in the quality of job performance. **Note:** A performance review is necessary for recommendation of a merit pay increase.

2. ~~Annual reviews should be completed and submitted during the last week of May annually but no later than the first week of June by May 31. Quarterly reviews can be completed and submitted during the last week of the review quarter but no later than the first week of the next quarter.~~

3. Every employee performance review shall be in written form.

4. The employee's immediate supervisor shall conduct the review and the results will be discussed with the employee.

5. Each employee will be given the opportunity to respond, in writing, to any portion of the review. Such response, if any, will become a permanent part of the review.

6. The Executive Director may review employee performance reviews. The Executive Director shall have the authority to accept or reject and/or make written comments to the review.

7. Employee performance reviews will become a permanent part of the employee's personnel record.

~~8. A new employee's first review will be due during the first pre-established quarter after the hire date unless the hire date is within the last month of the quarter. If hired during the last month of the quarter, the first review will be due during the next pre-established quarter after hire date. Supervisors will establish goals and objectives for new hires within one week of hire date.~~

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17.04 OVERNIGHT TRAVEL

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

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

5. Commercial bus/train transportation will be reimbursed based on the lesser of the actual bus/train fare, actual mileage at current ATCOG mileage rates, or the most economical fares available.
6. When travelling by commercial air transportation, travelers may use vehicle rental or Transportation Network Companies, such as Uber or Lyft, whichever is the most economical and feasible option. When travelling by rental vehicle, the vehicle should be procured through an ATCOG rental account unless a vehicle is not available or a lower rate is available elsewhere. Fuel will be reimbursed at actual cost shown on the receipts supplied by traveler. When travelling by Transportation Network Companies, travelers will be reimbursed on an actual cost basis. Travelers may be reimbursed up to 15% for driver gratuity.
7. ~~Vehicle rental in conjunction with commercial air transportation must be approved in advance of scheduled travel date and will be reimbursed on an actual cost basis.~~

78. Vehicle rental, when used as the primary means of transportation, shall be approved in advance and will be reimbursed at the lesser of actual rental cost, actual mileage at current ATCOG mileage rates, or the cost of airfare at the most economical fare available. The rental vehicle should be procured through an ATCOG rental account unless a vehicle is not available or a lower rate is available elsewhere.

89. Lodging reservations should correlate to meeting/training schedules. Employees should not reserve an additional hotel night if the employee can arrive home safely by 9pm including stops for meals and fuel (i.e. Meeting is 3 hours from home and concludes at 5pm. Meeting is 6 hours from home and concludes at 2pm.). When possible, employees should adjust their work schedules so as not to exceed 40 hours worked in a seven-day workweek. Work schedule adjustments must be approved by the supervisor. The Executive Director may approve exceptions on a case by case basis.

17.07 NON-REIMBURSABLE EXPENSES

Costs of personal entertainment, spouse's expenses, amusements, social activities (not associated with an official function), alcoholic beverages, gratuities (exception: driver gratuity when using Transportation Network Company), traffic citations, repairs to a personal vehicle, or any illegal activity are not eligible for reimbursement.

RESOLUTION NO. ABD24-02

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS (ATCOG) APPROVING REVISIONS TO THE ATCOG POLICY AND PROCEDURES MANUAL.

WHEREAS, the manual was developed to ensure that the ATCOG functions as a vital, evolving organization; and

WHEREAS, generally, the manual serves as the employee's primary instrument of policy guidance concerning questions of administrative and personnel policies; and

WHEREAS, upon approval, any such changes to the manual will supersede all previous policies of the same nature and will become a part of this manual.

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

Section 1 - That the Board of Directors approves the attached revisions to the ATCOG Policy and Procedures Manual.

Section 2 - That the Executive Director has full authority to act on behalf of the ATCOG Board in all matters pertaining to the ATCOG Policy and Procedures Manual.

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 7TH DAY OF DECEMBER, 2023.

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

ATTEST:

BRIEFING PAPER

ITEM 9:

Review and Consider approval of revised ATCOG Procurement Policy and Procedure Manual.

BACKGROUND:

ATCOG Procurement Policy and Procedure Manual was last updated in 2020. Revisions are needed due to changes in Federal and State procurement regulations.

DISCUSSION:

ATCOG Procurement Policy and Procedure has been revised with the following changes:

The policy manual has been reformatted to clarify ATCOG's procurement process.

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. 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 - 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 - Paragraph has been revised to include 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.

RECOMMENDATION:

Staff recommends approval.

RESOLUTION NO. ABD24-03

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS (ATCOG) APPROVING REVISIONS TO THE ATCOG PROCUREMENT POLICY AND PROCEDURES MANUAL.

WHEREAS, the manual was developed to ensure that the ATCOG functions as a vital, evolving organization; and

WHEREAS, generally, the manual serves as the employee's primary instrument of policy guidance concerning questions of procurement policies and procedures; and

WHEREAS, upon approval, any such changes to the manual will supersede all previous policies of the same nature and will become a part of this manual.

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

Section 1 - That the Board of Directors approves the attached revisions to the ATCOG Procurement Policy and Procedures Manual.

Section 2 - That the Executive Director has full authority to act on behalf of the ATCOG Board in all matters pertaining to the ATCOG Procurement Policy and Procedures Manual.

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 7th DAY OF DECEMBER, 2023.

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

ATTEST:

BRIEFING PAPER

ITEM 10:

Review and consider approval of the Ark-Tex Council of Governments' (ATCOG) Threat and Hazard Identification and Risk Assessment (THIRA), State Preparedness Report (SPR), and the Homeland Security Implementation Plan for 2024.

BACKGROUND:

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.

DISCUSSION:

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

RECOMMENDATION:

Staff recommends approval.

RESOLUTION NO. ABD24-04

RESOLUTION OF THE ARK-TEX COUNCIL OF GOVERNMENTS APPROVING THE ARK-TEX COUNCIL OF GOVERNMENTS' (ATCOG) THREAT AND HAZARD IDENTIFICATION AND RISK ASSESSMENT (THIRA), STATE PREPAREDNESS REPORT (SPR), AND HOMELAND SECURITY IMPLEMENTATION PLAN FOR 2024.

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

WHEREAS, these documents ensure that the Ark-Tex Council of Governments is fully integrated into the State of Texas Homeland Security Strategic Plan and has identified the resources necessary to achieve homeland security preparedness goals for fiscal year 2024; and

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

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

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

Section 1 - That the ATCOG Board of Directors approves the Ark-Tex Council of Governments' (ATCOG) Threat and Hazard Identification and Risk Assessment (THIRA), State Preparedness Report (SPR), and the Homeland Security Implementation Plan for 2024.

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 Ark-Tex Council of Governments' (ATCOG) Threat and Hazard Identification and Risk Assessment (THIRA), State Preparedness Report (SPR), and the Homeland Security Implementation Plan for 2024.

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 7TH DAY OF DECEMBER, 2023.

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

ATTEST:

BRIEFING PAPER

ITEM 11:

Review and approve continual use of the allocation formula for FY2024 as the method for allocating State Homeland Security Program (SHSP) funds to jurisdictions.

BACKGROUND:

The ATCOG HSAC, with Board approval, has allocated funds to jurisdictions in many different ways since the inception of the SHSP in 2003, including the use of scoresheets and discussions. The process of deciding allocations has been subjective rather than objective. During the last three years, ATCOG has 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.

DISCUSSION:

The ATCOG HSAC met on November 16, 2023, and discussed and reviewed the Risk Methodology and Allocation Process for FY24.

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

RECOMMENDATION:

Staff recommends approval.

Ark-Tex Council of Governments Homeland Security Allocation Process

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

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

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

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

Grant Application Workshop

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

The grant application workshop will include the following information:

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

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

ATCOG Staff Review and HSAC Recommendation for Funding

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

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

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

Final Project Allocation

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

RESOLUTION NO. ABD24-05

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

WHEREAS, the ATCOG Board of Directors and Homeland Security Advisory Committee finds it to be in the best interest to adopt a scoring process as the method for allocating FY2024 Homeland Security Grant Program funds to eligible jurisdictions; and

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

WHEREAS, the Scores will be calculated and projects will be ranked by score from highest to lowest and recommended for funding in that rank order. Applicants who submit multiple projects must identify their primary project for ATCOG prioritization ranking; secondary projects and so on will be ranked at the bottom based on their score and will only be funded if enough funds are available after all primary projects are funded; and

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

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

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

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

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

REVIEWED AND APPROVED THIS 7TH DAY OF DECEMBER, 2023.

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

ATTEST:

BRIEFING PAPER

ITEM 12:

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

BACKGROUND:

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

DISCUSSION:

The ATCOG Homeland Security Advisory Committee met on November 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.

RECOMMENDATION:

Staff recommends approval.

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

ARTICLE I – NAME, PURPOSE, RESPONSIBILITIES

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

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

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

The Committee’s specific responsibilities are:

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

ARTICLE II – MEMBERSHIP

Representation

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

One representative from each of the nine counties		9
One representative from the two largest cities in the region		2
One representative from both a city and a county law enforcement department		2
One representative from two different fire departments in the region		2
One representative from an emergency medical services provider		1
One representative from the Texas Forest Service		1
One Texas District Chief representing the ATCOG region	1	
One Board of Directors Liaison		1
One representative from a state service agency		1
	Total	20

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

Qualifications

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

Term

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

Vacancy

A vacancy occurs when

1. a member dies; or
2. a member's term expires; or

3. a member resigns (resignations shall be in writing to the ATCOG HSAC liaison or the HSAC chair); or
4. a member is removed; or
5. a member no longer meets the qualification requirements

Attendance

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

ARTICLE III – OFFICERS

Election

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

Term

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

Vacancy

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

Duties

1. The Chair shall preside at all meetings of the HSAC.
2. In the case of a tie during a vote at which a quorum is present, the Chair will be deemed to have the authority to break the tie.

3. The Vice-Chair shall perform all the duties of the Chair in the case of absence or disability and such other duties as may arise, from time to time, when required or requested by the HSAC.
4. In case the Chair and Vice-Chair are absent or unable to perform their duties, the HSAC may appoint a Chair pro tem.

ARTICLE IV – MEETINGS

Regular

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

Special

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

Quorum and Action

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

Open Meetings and Records

1. All meetings of the HSAC shall be open to the public. The meetings are subject to the Texas Open Meetings Act and corresponding records are subject to the Texas Public Information Act. The HSAC Chair has the option of closing the meetings when homeland security tactical issues are being discussed or when deemed necessary for confidentiality purposes.
2. Minutes of the HSAC meetings, documents distributed and other records are the property of ATCOG. The HSAC liaison shall keep the recordings of all the HSAC meetings according to the Local Government Records Control Schedule. These materials are available for public view, at the ATCOG offices, upon receipt of a written request by the interested party.
3. Except where these bylaws require otherwise, *Robert's Rules of Order* shall govern the conduct of HSAC meetings.

Conflict of Interest

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

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

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

Professional Conduct

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

ARTICLE V – Regional Grant Process

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

The grant application workshop will include the following information:

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

ATCOG Staff Review and HSAC Recommendation for Funding.

After the grant workshop, ATCOG staff will provide each jurisdiction's representative(s) with an allocation amount. Projects can be submitted for that allocation amount only. Once all applications are received, the applications are reviewed by ATCOG staff to ensure completion and that all requested items are allowable. The HSAC reviews the projects to ensure all projects are in line with regional priorities (if applicable) and have met the regional eligibility requirement of 75% participation in the monthly ATCOG Communication Repeater Tests.

Applications are then prioritized via ballot based on several factors such as terrorism risks, current capability levels, and the described investment efforts to reduce existing capability gaps as described in the State Preparedness Report and the Regional Implementation Plan (which includes the Threat and Hazards Identification and Risk Assessment). Each HSAC member has plans and reports in possession and may bring these documents to the meeting for reference, but are not required. The committee's involvement provides an overarching knowledge of each jurisdiction within the region, which guides and aids the HSAC during the prioritization of projects. ATCOG's project

will be ranked as number (1) in the prioritization process and shall receive full funding. Any other special projects approved by the HSAC committee will be ranked as number (2) and so forth. In the event of a tie between two or more projects, the lowest rankings on each project involved will be dropped until the tie is broken. Any representative from the agency applying is prohibited from including his or her agency's project in the prioritization due to the conflict of interest policy in ATCOG's HSAC bylaws. All projects must be scalable. If the final regional allocation is reduced or increased by the State, all projects with the exception of ATCOG's project and other special approved projects (if applicable), will be reduced or increased proportionately. If the amounts of LETPA projects submitted do not meet the 25% LETPA requirement, ATCOG HSAC can increase the LETPA projects' amounts to meet the requirement.

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

ARTICLE VI – AMENDMENT

By ATCOG Board of Directors

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

By Homeland Security Advisory Committee

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

Effective Date

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

Review

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

RESOLUTION NO. ABD24-06

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

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

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

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

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

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

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

REVIEWED AND APPROVED THIS 7TH DAY OF DECEMBER, 2023.

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

ATTEST:

BRIEFING PAPER

ITEM 13:

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

BACKGROUND:

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

DISCUSSION:

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

RECOMMENDATION:

Staff recommends approval.

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

ARTICLE I – NAME, PURPOSE, RESPONSIBILITIES

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

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

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

ARTICLE II – MEMBERSHIP

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

County Membership

The RCJAC shall have ~~27-29~~ county members. The membership per county shall be based on population with the following distribution: counties with 50,000 and above shall be allocated five members; counties with 25,000 and above shall be allocated four members; counties with 10,000 and above shall be allocated two members, and counties below 10,000 shall be allocated one member.

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

Regional Membership

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

Other Membership

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

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

Membership Terms and Attendance

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

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

ARTICLE III - OFFICERS

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

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

ARTICLE IV – MEETINGS

Open Meetings and Records

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

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

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

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

Quorum and Action

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

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

Regular Meetings

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

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

Written notice, including an agenda, of each regular meeting shall be prepared by the ATCOG Criminal Justice liaison and electronically transmitted to each RCJAC member at least ~~five (5) business days~~ seventy-two (72) hours prior to ~~before~~ the meeting ~~date~~.

Special Meetings

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

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

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

ARTICLE V - SUBCOMMITTEES

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

ARTICLE VI - BYLAWS AMENDMENTS

RCJAC Bylaws Review

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

By ATCOG Board of Directors

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

Effective Date

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

ARTICLE VII - GRANT APPLICATION REVIEW PROCEDURES

Local Priorities & Strategic Plan

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

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

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

Grant Application Workshop

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

Notification of Application Deadlines

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

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

Funding Categories Reviewed by RCJAC

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

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

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

~~General Juvenile Justice and Delinquency Prevention Programs~~
~~Truancy Prevention Programs~~

(State Criminal Justice Planning Fund - 421)

~~Truancy Prevention Programs~~

(Truancy Prevention Grant Program)

Justice Assistance Grant (JAG) Program

(Byrne Justice Assistance Grant)

(State Criminal Justice Planning Fund – 421)

~~Victims of Commercial Sexual Exploitation~~

~~(Victims of Crime Act – VOCA)~~

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

Fund Specific Requirements

Decreasing Ratio Policy for JAG Applications:

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

1st year – 100% CJD funding (Benchmark amount established)

2nd year - 80% CJD funding

3rd year - 60% CJD funding

4th year - 40% CJD funding

5th year - 40% CJD funding

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

Grant Application Scoring Guidelines

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

Review Instrument/Score Sheet

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

High/Low Scores Dropped

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

Tie-Breaker Method

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

Applicant Correspondence with RCJAC Regarding Scoring

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

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

Conflict of Interest

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

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

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

Applicant Presentation/Scoring Meeting

Mandatory Attendance of Applicant Presentation/Scoring Meeting: Grant applicants are required to have a representative attend the RCJAC Applicant Presentation/Scoring Meeting, to provide a brief presentation regarding their project to the RCJAC. If no representative is present for an applicant, the RCJAC and/or the ATCOG Board has the option to recommend less funding than applied for or no funding on any fund source application submitted by an applicant. Upon receipt of copies of the grant applications and scoring instruments, the RCJAC members must complete the scoring process by the established deadline following applicant presentations.

Prioritization Meeting Outcomes

The RCJAC shall meet to discuss and take further action(s), if necessary, in determining the application funding recommendations, prior to submitting them to the ATCOG Board. The RCJAC and/or the ATCOG Board has the option to recommend more or less funding than applied for, or no funding, on any fund

source application submitted by an applicant. Following approval by the ATCOG Board, the results of the funding priorities/recommendations will be emailed to the RCJAC members and grant applicants, and will be submitted to the OOG/PSO/CJD.

Appeal Procedure

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

All appeals must be handled as follows:

- An applicant must notify the ATCOG Executive Director in writing of the alleged violation of the RCJAC scoring guidelines and/or the error(s) made in the scoring/prioritization process within ten (10) days following the scoring meeting.
- The ATCOG Board of Directors shall consider all appeals in an open meeting. Documentation submitted by the applicant that meets the criteria as stated above will be considered by the ATCOG Board of Directors. Subsequent notification by ATCOG of a decision concerning funding serves as final notice of approval or denial.

Civil Rights Policies

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

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

- ATCOG's criminal justice programs do not discriminate on the basis of race, color, national origin, religion, creed, sex, age, genetic information,

disability status, protected veteran status, sexual orientation, gender identity or expression, or English proficiency.

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

Reviewed/amended/approved by RCJAC 11-16-23.

To be reviewed/approved by ATCOG Board 12-07-23.

RESOLUTION NO. ABD24-07

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

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

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

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

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

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

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

REVIEWED AND APPROVED THIS 7TH DAY OF DECEMBER, 2023.

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

ATTEST:

BRIEFING PAPER

ITEM 14:

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

BACKGROUND:

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

DISCUSSION:

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

RECOMMENDATION:

Staff recommends approval.

Local Priorities for Grant Year FY25

Victim Services

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

Juvenile Justice Services

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

Law Enforcement Services

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

Office of Governor – Public Safety Office/CJD Applications

RCJAC Scoring Instrument

Name (of RCJAC Member):

Phone (of RCJAC Member):

(Drop down menu for fund source to be scored)

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

Applicant Agency:

Project Title:

Application Number:

Amount Requested:

Conflict of Interest:

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

(Please answer each question)

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

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

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

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

Attendance: (Maximum 15 Points)

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

Management & Fiscal Capability: (Maximum 15 Points)

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

Local Priorities: (Maximum 10 Points)

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

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

Documentation of Problem:

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

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

Cost and Program Effectiveness:

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

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

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

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

Comments:

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

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

Office of Governor – Public Safety Office/CJD Applications

RCJAC Scoring Instrument

Name (of RCJAC Member):

Phone (of RCJAC Member):

(Drop down menu for fund source to be scored)

Funding Opportunity: **Juvenile Justice Grant Programs**

Applicant Agency:

Project Title:

Application Number:

Amount Requested:

Conflict of Interest:

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

(Please answer each question)

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

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

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

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

Attendance: (Maximum 15 Points)

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

Management & Fiscal Capability: (Maximum 15 Points)

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

Local Priorities: (Maximum 10 Points)

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

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

Documentation of Problem:

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

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

Cost and Program Effectiveness:

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

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

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

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

Comments:

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Office of Governor – Public Safety Office/CJD Applications

RCJAC Scoring Instrument

Name (of RCJAC Member):

Phone (of RCJAC Member):

(Drop down menu for fund source to be scored)

Funding Opportunity: **Truancy Prevention Grant Programs**

Applicant Agency:

Project Title:

Application Number:

Amount Requested:

Conflict of Interest:

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

(Please answer each question)

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

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

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

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

Attendance: (Maximum 15 Points)

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

Management & Fiscal Capability: (Maximum 15 Points)

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

Local Priorities: (Maximum 10 Points)

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

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

Documentation of Problem:

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

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

Cost and Program Effectiveness:

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

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

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

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

Comments:

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

Office of Governor – Public Safety Office/CJD Applications

RCJAC Scoring Instrument

Name (of RCJAC Member):

Phone (of RCJAC Member):

(Drop down menu for fund source to be scored)

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

Applicant Agency:

Project Title:

Application Number:

Amount Requested:

Conflict of Interest:

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(Please answer each question)

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

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Attendance: (Maximum 15 Points)

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Management & Fiscal Capability: (Maximum 15 Points)

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

Local Priorities: (Maximum 10 Points)

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

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

Documentation of Problem:

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

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

Cost and Program Effectiveness:

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

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

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

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

Comments:

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Office of Governor – Public Safety Office/CJD Applications

RCJAC Scoring Instrument

Name (of RCJAC Member):

Phone (of RCJAC Member):

(Drop down menu for fund source to be scored)

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

Applicant Agency:

Project Title:

Application Number:

Amount Requested:

Conflict of Interest:

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(Please answer each question)

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Attendance: (Maximum 15 Points)

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Management & Fiscal Capability: (Maximum 15 Points)

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Local Priorities: (Maximum 10 Points)

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

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

Documentation of Problem:

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

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

Cost and Program Effectiveness:

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

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

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

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

Comments:

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

RESOLUTION NO. ABD24-08

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

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

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

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

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

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

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

REVIEWED AND APPROVED THIS 7TH DAY OF DECEMBER, 2023.

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

ATTEST:
