

NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS
EXECUTIVE BOARD MEETING
Minutes —February 22, 2018
616 Six Flags Drive, Arlington, Texas

President Lombard called the regular meeting of the North Central Texas Council of Governments Executive Board to order at 1:00 pm on February 22, 2018.

Members of the Board Present:

1. Tom Lombard, President, Councilmember, City of North Richland Hills
2. Kevin Strength – Vice President, Mayor, City of Waxahachie
3. Lissa Smith – Past President, Previous Mayor Pro Tem, City of Plano
4. Kelly Allen Gray, Councilmember, City of Fort Worth
5. Clay Jenkins, County Judge, Dallas County
6. Lee Kleinman, Councilmember, City of Dallas
7. Curtistene McCowan, Mayor, City of DeSoto
8. Bobbie Mitchell, Commissioner, Denton County
9. Nick Sanders, Mayor, Town of Trophy Club
10. Keith Self, County Judge, Collin County
11. Ron Simmons, State Representative
12. Ray Smith, Mayor, City of Prosper
13. Kathryn Wilemon, Councilmember, City of Arlington
14. Paul Voelker, Mayor, City of Richardson

Members of the Board Absent:

15. J.D. Clark – Secretary/Treasurer, County Judge, Wise County
16. Douglas Athas, Mayor, City of Garland
17. B. Glen Whitley, County Judge, Tarrant County
18. Bruce Wood, County Judge, Kaufman County

Members of the Staff Present:

Mike Eastland, Executive Director
Monte Mercer, Deputy Executive Director
Tim Barbee, Chief Information Officer, Research and Information Services
Doni Green, Director of Aging
Edith Marvin, Director of Environment and Development
Molly McFadden, Director of Emergency Preparedness
Michael Morris, Director of Transportation
David Setzer, Director of Workforce Development
Christy Williams, Director of 9-1-1
Lucille Johnson, Assistant to the Executive Director
Kelly Schmidt, Senior Criminal Justice Planner
Stephanie Cecil, Administrative Assistant, EDO
Dan Kessler, Assistant Director of Transportation
Ken Kirkpatrick, Transportation Counsel
Karen Richard, Chief Human Resources Officer
Donald Parker, Planner, Transportation
Maggie Lira, Account Manager, Administration
Emily Beckham, Senior Grants & Contracts Coordinator, Transportation
Lori Clark, Principal Planner, Transportation
Christie Gotti, Senior Program Manager, Transportation
Sara Harris, Senior Program Manager, Administration
Chris Klaus, Senior Program Manager, Transportation

Heather Mazac, Compliance Legal Advisor, Administration
Carmen Morones, Human Resources Manager
Richard Michael, Budget Manager, Administration
Shannon Stevenson, Program Manager, Transportation

Visitors Present:

Vincent Gallagher, Director of Preconstruction, Structure Tone
Leif Pearson, Estimator, Structure Tone
Jim Louis, Principal, Project Management, Avison Young

REGULAR SESSION

ACTION:

Item 1 Approval of Minutes

President Lombard stated that the first item on the agenda was approval of the minutes from the January Board meeting.

Upon a Motion by Councilmember Wilemon (seconded by Commissioner Mitchell), and unanimous vote of all members present, the Board approved the minutes of the January Executive Board meeting.

Councilmember Kleinman and Judge Jenkins entered the meeting.

Item 2 Resolution to Accept and Approve the Comprehensive Annual Financial Report for Fiscal Year 2017

Monte Mercer, Deputy Executive Director, presented the Comprehensive Annual Financial Report (CAFR) for acceptance and approval, including: the single audit reports and the accompanying independent auditor's report for the fiscal year that ended September 30, 2017. He explained that the Audit Committee met with staff and the independent auditing firm, Weaver & Tidwell, LLP to review the reports prior to the Executive Board meeting.

Exhibit: 2018-02-02-AA

Upon a Motion by Mayor Strength (seconded by Mayor Voelker), and unanimous vote of all members present, the Board approved the resolution as presented.

Item 3 Resolution Authorizing Contract with Frost Bank for Depository Services

Monte Mercer, Deputy Executive Director, explained that NCTCOG periodically contracts for depository services based upon competitive proposals received from eligible financial institutions. A review committee recommended a contract be issued to Frost Bank for a three year term with two one-year renewal options, for a maximum term of five years.

Exhibit: 2018-02-03-AA

Upon a Motion by Mayor McCowan (seconded by Commissioner Mitchell), and unanimous vote of all members present, the Board approved the resolution as presented.

Item 4 Resolution Authorizing Contract with Structure Tone Southwest, LLC for General Contractor Services

Monte Mercer, Deputy Executive Director, explained that the current building lease included a Tenant Improvement (TI) allowance of \$30 per square foot (a total of approximately \$4.3 million) for interior remodeling. NCTCOG contracted with BOKA Powell for architectural services for the remodel and now wishes to secure general contractor services. An evaluation committee is recommending a contract be awarded to Structure Tone Southwest, LLC, to provide General Contractor services, for a maximum five year term, in an amount not to exceed \$3,800,000 across all NCTCOG facilities.

Exhibit: 2018-02-04-AA

Upon a Motion by Lissa Smith (seconded by Councilmember Wilemon), and unanimous vote of all members present, the Board approved the resolution as presented.

Item 5 Resolution Authorizing Contract with First Southwest Asset Management, LLC for Investment Advisory Services

Monte Mercer, Deputy Executive Director, recommended the Board authorize a contract with First Southwest Asset Management, LLC, to provide an evaluation of NCTCOG's current investment policies and practices and possible additional investment options and non-discretionary portfolio management services. The contract specifies an initial two year contract term, in an amount not to exceed \$60,000 and two optional, two year renewals, contingent upon future Executive Board approval, as required by the Public Funds Investment Act. He explained that the contract has a 30 day, no fault opt out clause for discontinuation of services. Any substantive changes contemplated to current investment strategies will be provided to the Board in conjunction with the quarterly Board updates.

Board members discussed the merits of current management of investments versus the purchase of investment services. They also discussed the proposed charge for additional services and the additional investment choices that could possibly be made with agency funds. Monte Mercer explained that this item responded to previous Board conversations that the Board wanted staff to explore other investment options. He said that NCTCOG does not feel they have expertise, in house, to comprehensively evaluate potential investment choices, and were therefore recommending that the COG contract with a firm that had this expertise. He assured the Board that he is comfortable with whatever they decide. Staff recommended approving the proposed two-year agreement with the requirement that the staff come back in 180 days with an assessment of the value produced by this new investment strategy. At that time the Board could determine if it desired to continue with this service.

Exhibit: 2018-02-05-AA

Mayor Voelker moved to approve the Resolution as presented (seconded by Lissa Smith) provided that it be brought back to the Board for review and reconsideration in six months. A roll call vote was taken and the Motion passed. Seven members voted yes: President Lombard, Mayor Strength, Lissa Smith, Mayor McCowan, Mayor Sanders, Mayor Smith, and Mayor Voelker. Six members voted no: Councilmember Kleinman, Judge Jenkins, Councilmember Gray, Commissioner Mitchell, Judge Self, and Councilmember Wilemon.

Item 6 Resolution Approving Internal Compliance Program

Monte Mercer, Deputy Executive Director, explained that NCTCOG's formal Internal Compliance Program (ICP), was originally developed in response to a Texas Department of Transportation (TxDOT) grant requirement and is being updated based on a more recent TxDOT review. The ICP, as required by Texas law, applies to all NCTCOG programs, officers and employees. The ICP is designed to detect and prevent violations of laws, regulations, and ethical standards.

Exhibit: 2018-02-06-AA

Upon a Motion by Councilmember Wilemon (seconded by Commissioner Mitchell), and unanimous vote of all members present, the Board approved the resolution as presented.

Representative Simmons left the meeting.

Item 7 Resolution Authorizing an Increase to the Contract with General Datatech L.P. for Microwave and Layer 2 Terrestrial Network and System Integration with SD-WAN

Christy Williams, Director of 9-1-1 Programs, asked the Board to approve a revised, not to exceed contract amount, of \$9.5 million with General Datatech L.P. (GDT). She reminded the Board that in August 2015 they authorized a contract with GDT to build, design, and integrate a microwave network and Layer 2 terrestrial network, with a Software Defined Wide Area Network (SD-WAN) solution, in an amount not to exceed \$8.0 million. Staff is now projecting higher than anticipated costs to complete the next phase of the microwave buildout as a result of: building rather than leasing commercial tower space; the movement of select anticipated tower

locations; and necessary network design modifications.

Exhibit: 2018-02-07-911.

Upon a Motion by Mayor McCowan (seconded by Commissioner Mitchell), and unanimous vote of all members present, the Board approved the resolution as presented.

Item 8 Resolution Authorizing Contract with Incident Response Technologies, for Incident Management and Resource Tracking Software

Molly McFadden, Director of Emergency Preparedness, explained that incident management and resource tracking software was identified as a need in SWAT Scenarios from the 2013 regional full-scale exercise after-action report and improvement plan (AAR/IP) and by the Regional Incident Management Tool Steering Committee. The software will be utilized for the Emergency Preparedness Department and available for purchase by participating entities in NCTCOG's North Texas SHARE cooperative purchasing program. An evaluation committee is recommending Incident Response Technologies as the preferred vendor for a maximum five year term (two-year agreement with three optional one-year renewals), in a total not to exceed amount of \$500,000.

Exhibit: 2018-02-08-EP

Upon a Motion by Mayor Voelker (seconded by Councilmember Wilemon), and unanimous vote of all members present, the Board approved the resolution as presented.

Item 9 Resolution Authorizing Contract with Night Vision Devices for PVS 14 Night Observation Devices with White Phosphor Image Intensifiers

Molly McFadden, Director of Emergency Preparedness, explained that the need for night observation devices was identified in both the 2013 and the 2016 regional full-scale exercise after-action report and improvement plan (AAR/IP). The Regional SWAT Working Group identified the third-generation PVS 14 Night Vision Goggles with white phosphor image intensifiers as the type of equipment needed. This contract with Night Vision Devices is for a one-year agreement, with two optional one-year renewals, for a maximum of three years and is also intended to be used for NCTCOG's North Texas SHARE cooperative purchasing program.

Exhibit: 2018-02-09-EP

Upon a Motion by Lissa Smith (seconded by Commissioner Mitchell), and unanimous vote of all members present, the Board approved the resolution as presented.

Item 10 Resolution Authorizing Agreements for the CASA WX Program

Molly McFadden, Director of Emergency Preparedness, explained the history of the CASA WX Program, including Board approval for agreements in 2011, 2013 and 2017. The CASA WX program installs, operates, and maintains a system of weather radars in North Central Texas, providing time-sensitive, high-resolution weather data, at neighborhood precision levels, to member jurisdictions and regional partners. The CASA WX membership program, administered by NCTCOG, is the primary funding mechanism for CASA WX in North Central Texas. She asked the Board for approval of two new 5-year agreements with CASA WX partners: the University of Massachusetts/Amherst (UMass) and Colorado State University (CSU). The agreements, for a cumulative amount not to exceed \$1,500,000, are contingent on the availability of funds received through the CASA WX membership program.

Exhibit: 2018-02-10-EP

Upon a Motion by Mayor Voelker (seconded by Lissa Smith), and unanimous vote of all members present, the Board approved the resolution as presented.

Item 11 Resolution Authorizing Agreements for the 2017-2018 CMAQ/STBG Funding Initiative: Federal/Local Funding Exchanges Program

Michael Morris, Director of Transportation, informed the Board that on January 11, 2018, the Regional

Transportation Council (RTC) approved four funding exchange partnerships in which federal transportation funding will be provided in exchange for a portion of local funding. The funding will be paid back to the RTC over time, in accordance with agreements with each partner. The RTC will contribute a total of \$19,664,049 in federal transportation funds in exchange for a total of \$17,738,209 in local funds to be used for RTC-related programs. One of these partnerships - between NCTCOG and participating cities in support of the Trinity Railway Express (TRE) - was previously approved by the Board. The other agreements are for projects in partnership with the Dallas Fort Worth International Airport and the cities of Terrell and Haltom City.

Exhibit: 2018-02-11-TR

Upon a Motion by Councilmember Wilemon (seconded by Lissa Smith), and unanimous vote of all members present, the Board approved the resolution as presented.

Item 12 Resolution Authorizing Agreements for the Receipt of Funds for Planning and Implementation Programs from the Texas Department of Transportation

Michael Morris, Director of Transportation, asked for authorization to receive an additional \$2,000,000 in funding (\$2,000,000 Surface Transportation Block Grant Program and \$400,000 in Transportation Development Credits) for implementation and continuation of two projects: Harry Hines Boulevard and McKinney Avenue Transit Authority M-Line Extension. He explained that the Regional Transportation Council programmed funds for the projects in July of 2017.

Exhibit: 2018-02-12-TR

Upon a Motion by Councilmember Kleinman (seconded by Councilmember Wilemon), and unanimous vote of all members present, the Board approved the resolution as presented.

Item 13 Resolution Approving Modifications to the FY2018 and FY2019 Unified Planning Work Program for Regional Transportation Planning

Dan Kessler, Assistant Director of Transportation, asked for approval of the second set of proposed modifications to the FY2018 and FY2019 Unified Planning Work Program for Regional Transportation Planning (UPWP), which was first approved by the Board in July 2017. He reviewed a list of modifications that included project updates and funding adjustments, which resulted in the need for amendments to the Program.

Exhibit: 2018-02-13-TR

Upon a Motion by Mayor Sanders (seconded by Mayor Strength), and unanimous vote of all members present, the Board approved the resolution as presented.

Item 14 Resolution Authorizing an Agreement with Swagit Productions, LLC, for Video Web Hosting Service and Equipment/Maintenance

Michael Morris, Director of Transportation, informed the Board that The Texas Legislature requires a metropolitan planning organization, which serves one or more counties with a population of 350,000 or more, to broadcast live internet video and audio of each open meeting. Subsequently, the videos must be archived and made available through a web site. The current contract for these service expires in April 2018. A consultant Selection Committee has recommended a contract with Swagit Productions, LLC, the current provider, in an amount not to exceed \$61,000 over a five-year period. This assistance would provide video web hosting service and equipment/maintenance for various regularly scheduled meetings held by NCTCOG, including: meetings of the Executive Board, the RTC and the Workforce Development Board. Funding will be provided through a combination of funds from Transportation, Agency Administration and Workforce Development and will be based upon usage of services. Transportation will utilize RTC Local funds for transportation-related meetings.

Exhibit: 2018-02-14-TR

Upon a Motion by Commissioner Mitchell (seconded by Councilmember Wilemon), and unanimous vote of all members present, the Board approved the resolution as presented.

Item 15 Resolution Authorizing an Interlocal Agreement with the Texas A&M Transportation Institute to Conduct an Oversize/Overweight Heavy-Duty Vehicle Emissions Impact Study

Michael Morris, Director of Transportation, explained that this impact study is related to a previously executed agreement with the Texas Department of Transportation to study the air quality impact from emissions of oversize/overweight heavy-duty vehicles in the Dallas-Fort Worth nonattainment area. He asked the Board for approval to enter into an interlocal agreement with Texas A&M Transportation Institute (TTI) for an amount not to exceed \$415,000 for the development of data sets, investigation of heavy-duty vehicle activities, emissions testing, and data analyses. A final report will document the work performed and summarize methodologies, outcomes, and next steps. The funding source for this project is Congestion Mitigation and Air Quality Improvement Program funds utilizing Transportation Development Credits as the local match.

Exhibit: 2018-02-15-TR

Upon a Motion by Councilmember Wilemon (seconded by Mayor Voelker), and unanimous vote of all members present, the Board approved the resolution as presented.

Item 16 Resolution Authorizing Agreements for the Blue-Green-Grey Application for New Ideas

Michael Morris, Director of Transportation, asked for authorization to enter into agreements for implementation of three projects under the Blue-Green-Grey Application for New Ideas funding opportunity, in an amount not to exceed \$110,000 of RTC local funds. A Selection Committee recommended awards for the following projects, which have been approved by the Regional Transportation Council:

- City of Southlake – Burney Lane Biofiltration System
- City of Farmers Branch – Green Bus Stop Design Guidelines
- Dallas Area Rapid Transit – Community Gardens Hatcher Station Pilot

The Blue-Green-Grey Application for New Ideas was initiated in 2017 to fund projects in the 12-county Metropolitan Planning Area that address innovative outcomes focused on combining three elements – Blue (water), Green (environment), and Grey (transportation infrastructure).

Exhibit: 2018-02-16-TR

Upon a Motion by Lissa Smith (seconded by Mayor Voelker), and unanimous vote of all members present, the Board approved the resolution as presented.

Item 17 Resolution Authorizing an Agreement with Schrickel, Rollins and Associates, Inc., for Preliminary Engineering Study of Midlothian Waxahachie Regional Trail

Michael Morris, Director of Transportation, asked the Board to authorize a contract with Schrickel, Rollins and Associates, Inc., in an amount not to exceed \$240,000, to provide a preliminary engineering study for the Midlothian Waxahachie Regional Trail, using Congestion Mitigation and Air Quality Improvement Program (CMAQ) funds. NCTCOG is coordinating with Ellis County, the City of Midlothian, and the City of Waxahachie to complete a 15 percent design schematic and environmental summary.

Exhibit: 2018-02-17-TR

Councilmember Kleinman left the room.

Upon a Motion by Commissioner Mitchell (seconded by Councilmember Kleinman), and unanimous vote of all members present, the Board approved the resolution as presented.

Item 18 Resolution Adopting FY 2019 Criminal Justice Grants Policies and Procedures

Kelly Schmidt, Senior Criminal Justice Planner, explained that NCTCOG and the Office of the Governor's Criminal Justice Division (CJD) have an Interlocal Cooperation Agreement to provide services to local governments, ISDs, and non-profit agencies. This agreement includes adopting Policies and Procedures that guide the process for evaluating criminal justice grant applications. The Criminal Justice Policy Development

Committee (CJPDC) reviewed and approved the FY 2019 Policies and Procedures and recommends adoption of the policy by the Board.

Exhibit: 2018-02-18-CJ

Upon a Motion by Mayor Voelker (seconded by Mayor Sanders), and unanimous vote of all members present, the Board approved the resolution as presented.

Councilmember Kleinman returned to the room.

Item 19 Resolution Authorizing A Contract With One Rain, Inc. For Flood Management Software For Participating Governmental Entities

Edith Marvin, Director of Environment and Development, asked the Board to authorize a contract with One Rain, Inc., for a maximum five year term, in an amount not to exceed \$500,000. She explained that in response to member requests, NCTCOG's cooperative purchasing program (North Texas SHARE) collaborated with the region's Flood Management Task Force to conduct a procurement for Flood Management Software. A vendor was needed to provide a common technology solution that will collect, analyze, and display data from rain gauges throughout the region. The software will enable communities to see one another's data in real time as storms track across the region. Additionally, data will be shared automatically with program partners such as the Texas Water Development Board, the National Weather Service and others. Local governments that purchase this software through the regional program will realize cost savings of approximately 40%. Costs are reimbursed by participating entities that will access the contract through the North Texas SHARE Master Interlocal Agreement. Entities will enter into a Services Agreement with NCTCOG for one-time implementation costs and the recurring annual subscription fee.

Exhibit: 2018-02-19-ED

Upon a Motion by Mayor Sanders (seconded by Mayor Strength), and unanimous vote of all members present, the Board approved the resolution as presented.

Councilmember Kleinman left the meeting.

APPOINTMENTS:

Item 20 Appointments to the Criminal Justice Policy Development Committee (CJPDC)

Kelly Schmidt, Senior Criminal Justice Planner, explained that the Criminal Justice Policy Development Committee (CJPDC) Members serve as the grant review and priority-setting committee for local justice-related grants of approximately \$29.8 million in funds. The grants are used for law enforcement, courts, juvenile and victims' services. The CJPDC Nominations Subcommittee has recommended nine new committee appointments and five reappointments (for another three-year term), in addition to a Chair and Vice-Chair.

Chair: Chief Deputy Craig Johnson, Wise County Sheriff's Office

Vice-Chair: Ms. Julie Monge, Collin County Teen Court Coordinator/Juvenile Case Manager

Proposed New Members:

1. Mike Allen, Mayor, City of Mineral Wells, Palo Pinto County
2. Jeff Caponera, Chief of Police, City of Anna, Collin County
3. Shay Cathey, Senior Policy Advisor, Dallas County,
4. Robert Duckworth, Mental Health Counselor, Juvenile Services, Hunt County
5. Johanna Friedel, Project Director of 21st Century Community Learning Center, Greenville ISD, Hunt County
6. Kristen Howell, Chief Executive Officer, Children's Advocacy Center for Denton County
7. Todd Renshaw, Citizen-At-Large, Collin County
8. Carrie West, Chief of Police, City of Willow Park, Parker County
9. Erleigh Norville Wiley, District Attorney, Criminal District Attorney's Office, Kaufman County

Reappointments

1. Craig Johnson, Chief Deputy, Sheriff's Office, Wise County
2. Kelli Martin, Research Unit Supervisor, CSCD, Tarrant County
3. Dr. Jennifer Reingle Gonzalez, Associate Professor, UT School of Public Health, Dallas County
4. Duane Steele, Deputy Director, Pretrial Services, Dallas County
5. Carmen White, Assistant District Attorney, Dallas County

Upon a Motion by Mayor McCowan (seconded by Judge Self), and unanimous vote of all members present, the Board approved the resolution as presented.

STATUS REPORTS:

Item 21 Status Update Recognizing Local Government Designation in the SolSmart Program

Edith Marvin, Director of Environment and Development, explained that SolSmart is a national program designed to recognize communities that take actions to reduce barriers to solar energy development by awarding either Gold, Silver, or Bronze designations. SolSmart is led by the International City/County Management Association (ICMA) and funded through a grant from the U.S. Department of Energy's Sunshot Initiative. In partnership with The Solar Foundation and Meister Consultants Group, the Environment and Development Department and Transportation's Air Quality Team served as SolSmart advisors to local governments in the region, providing technical, administrative, and policy assistance, as well as webinars, workshops, and one-on-one consultations. NCTCOG has now completed the contract as a SolSmart Advisor and would like to announce the successful designation of 5 local city governments: SolSmart Gold - City of Cedar Hill; SolSmart Silver - City of Kennedale; SolSmart Bronze – Cities of Denton, Lewisville, and Plano.

The Solar Foundation has offered to continue assisting communities who are interested in participating in the SolSmart program and NCTCOG will continue to provide assistance and resources when available, including the maintenance of the resources located on the website www.GoSolarTexas.org.

MISCELLANEOUS:

Item 22 Old and New Business


Mayor Voelker thanked members of the Board for the help and support that was offered to Richardson by the cities and counties in the region during the recent tragedy involving the death of one of their police officers.

Item 23 Attendance and Calendar

The Board was provided with a Calendar of meeting and a record of Attendance.

There being no other business, President Lombard adjourned the meeting.

Approved by:



Tom Lombard
President, North Central Texas Council of Governments
Councilmember, City of North Richland Hills

Checked by:



Mike Eastland, Executive Director
North Central Texas Council of Governments