



North Central Texas Council of Governments

TO: NCTCOG Executive Board **DATE:** October 17, 2019
FROM: Mike Eastland
Executive Director
SUBJECT: Executive Board Meeting

The next meeting of the **NCTCOG Executive Board** will be:

DATE: October 24, 2019

Please RSVP to the Executive Director's office as soon as possible by email or call (817) 695-9100.

REGULAR BOARD MEETING

TIME: 12:00 noon – Lunch
12:45 p.m. – Executive Board Meeting

PLACE: NCTCOG Offices
Centerpoint II Conference Center
616 Six Flags Drive
Arlington, TX 76011
Transportation Council Room

President Clark hopes each of you will plan to attend this important meeting. I look forward to seeing you there!

ME:sc

North Central Texas Council of Governments

616 Six Flags Drive, Arlington, TX, 76011

EXECUTIVE BOARD AGENDA

October 24, 2019 | 12:45 pm

Executive Board

1. ___ J. D. Clark
2. ___ Ray Smith
3. ___ Kevin Strength
4. ___ Curtistene McCowan
5. ___ Kelly Allen Gray
6. ___ Gary Caplinger
7. ___ Yvonne Davis
8. ___ Chris Hill
9. ___ Bill Heidemann

10. ___ Clay Jenkins
11. ___ Lee Kleinman
12. ___ Bobbie Mitchell
13. ___ Andrew Piel
14. ___ Tito Rodriguez
15. ___ Ken Shetter
16. ___ Richard Stopfer
17. ___ David Sweet
18. ___ Glen Whitley

Staff

- ___ Mike Eastland
- ___ Monte Mercer
- ___ Tim Barbee
- ___ Doni Green
- ___ Edith Marvin
- ___ Michael Morris
- ___ Molly Rendon
- ___ David Setzer
- ___ Molly McFadden
- ___ Christy Williams
- ___ Lucille Johnson
- ___ Stephanie Cecil

REGULAR SESSION

Call to order time: _____

Pledge to the United States and Texas Flags

Public Comment on Agenda Items

ACTION:

Motion/Second	Item #	Name of Item
___/___	1	Approval of Minutes
___/___	2	Resolution to Accept and Approve the Quarterly Investment Report - Molly Rendon
___/___	3	Resolution to Review and Approve NCTCOG's Investment Policy - Molly Rendon
___/___	4	Resolution Authorizing Contracts for Temporary Staffing Services - Molly Rendon
___/___	5	Resolution Authorizing the Receipt of Fiscal Year 2019 Federal Transit Administration Formula Funds - Michael Morris
___/___	6	<u>Resolution Approving Modifications to the FY2020 and FY2021 Unified Planning Work Program for Regional Transportation Planning - Michael Morris</u>

- ____/____ 7 Resolution Authorizing Grant Application to the Department of Defense for the Joining Forces Compatible Use Implementation Grant - Michael Morris
- ____/____ 8 Resolution Authorizing an Agreement with the Red River Authority of Texas for a Red River Navigation System Feasibility Study - Michael Morris
- ____/____ 9 Resolution Authorizing Purchase of a Transportation Department Vehicle - Michael Morris
- ____/____ 10 Resolution Authorizing FY2020 Purchase of Computer Hardware, Software, and Information Technology Contract Services for the Agency - Tim Barbee
- ____/____ 11 Resolution Authorizing a Lease Extension for the McKinney Workforce Center - David Setzer
- ____/____ 12 Resolution Authorizing an Increase to the Contract to ResCare Workforce Services for Delivery of Child Care Services - David Setzer
- ____/____ 13 Resolution Authorizing Intergovernmental Cooperative Purchasing Agreement and Contract for Medical Equipment, Supplies and Services - Doni Green
- ____/____ 14 Resolution Authorizing Supplemental Allocations for Title III Nutrition and Transportation Services - Doni Green

STATUS REPORTS:

- ____/____ 15 Status Report on Fiscal Year 2019 Program Reviews and Audits Conducted by Transportation Funding Partners - Michael Morris
- ____/____ 16 Status Report on the Living Wage – Mike Eastland

MISCELLANEOUS:

- ____/____ 17 Old and New Business
- ____/____ 18 Future Calendar and Attendance

EXECUTIVE SESSION

CONVENE EXECUTIVE SESSION Time: _____

The Executive Board will convene into Executive Session pursuant to Open Meetings Act Section 551.071 for consultant with attorney regarding the following pending litigation:

Stevenson v. NCTCOG, Civil Action No. 3:19-CV-951-L, U.S. District Court, Northern District-Dallas Division

CLOSE EXECUTIVE SESSION Time: _____

RECONVENE REGULAR SESSION Time: _____

____/____ 19 **Possible Resolution Concerning Matters Discussed During Executive Session - Mike Eastland**

Adjournment: _____

A closed executive session may be held on any of the above agenda items when legally justified pursuant to Subchapter D of the Texas Open Meetings Act (Texas Government Code Chapter 551).

NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS EXECUTIVE BOARD MEETING

Minutes — September 26, 2019

CenterPoint III, 600 Six Flags Drive, Arlington, Texas

President Clark called the regular meeting of the North Central Texas Council of Governments Executive Board to order at 12:46 pm on September 26, 2019.

Members of the Board Present:

- | | |
|-----------------------|---------------------|
| 1. J. D. Clark | 8. Bill Heidemann |
| 2. Ray Smith | 9. Clay Jenkins |
| 3. Curtistene McCowan | 10. Lee Kleinman |
| 4. Kelly Allen Gray | 11. Andrew Piel |
| 5. Gary Caplinger | 12. Ken Shetter |
| 6. Yvonne Davis | 13. Richard Stopfer |
| 7. Chris Hill | 14. David Sweet |

Members of the Board Absent:

15. Kevin Strength
16. Bobbie Mitchell
17. Tito Rodriguez
18. Glen Whitley

Members of the Staff Present:

Mike Eastland, Monte Mercer, Doni Green, Michael Morris, Molly McFadden, David Setzer, Christy Williams, Lucille Johnson, Stephanie Cecil, Dan Kessler, Ken Kirkpatrick, James Powell, Karen Richard, Emily Beckham, Tamara Cook, Debra Kosarek, Richard Michael, Mindy Mize, Carmen Morones, Randy Richardson, Amanda Wilson, Braydon Williams, Alayna Payne, Hilary Nguyen, Cassidy Campbell, Mia Brown, Hannah Allen, Carolyn Horner, Syndi Ligons

Visitors Present:

Amanda Everly, Assistant EMC, Fort Worth OEM

REGULAR SESSION

Item 1 Public Comment on Today's Agenda Items - Mike Eastland

Mike Eastland, Executive Director, explained that House Bill (HB) 2840, passed by the 86th Texas Legislature, amends the Texas Open Meetings Act to require governmental bodies to allow members of the public to provide comment on agenda items being considered during open meetings. He explained that this opportunity must be provided either at the beginning of the meeting or during consideration of each agenda item. HB 2840 also permits governmental bodies to adopt reasonable rules regarding the public's right to address the body, including rules regarding time limits. Non-English speakers with a translator must be given double time during open meetings to address and communicate with the body. A governmental body may not prohibit public criticism of the body. This bill took effect on September 1, 2019. In accordance with the Act, President Clark asked if any members of the public were present to comment on agenda items. There being none, he continued the meeting.

ACTION:

Item 2 Approval of Minutes

President Clark asked for a motion for approval of the minutes from the August Board meeting.

Upon a Motion by Mayor Smith (seconded by Judge Sweet), and unanimous vote of all members present, the Board approved the minutes of the August Executive Board meeting.

Judge Sweet left the room.

Item 3 Conduct a Public Hearing Regarding the Annual Fiscal Program for FY 2019-2020 and Consider a Resolution to Accept and Approve the Annual Fiscal Program

Monte Mercer, Deputy Executive Director, reminded the Board that the Annual Fiscal Program was presented in depth to the Finance Committee and reviewed by the Board at their August meeting. He reviewed the program structure and explained that the program consists of state and federal grants that fund approximately 81% of

programs, with the remainder being local funding. He said fiscal controls are established by individual grants and contracts. President Clark opened the public hearing and asked if there was anyone present wishing to speak regarding the Program. There being no one present requesting to speak, he closed the public hearing and asked for a motion to accept and approve the FY 2019-2020 Annual Fiscal Program.

Exhibit: 2019-09-03-AA

Judge Sweet returned to the room.

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

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

Monte Mercer, Deputy Executive Director, explained that the funds from this amendment will be used to complete Phase 2 of the building renovation project: approximately 6,600 square feet for the Research and Information Services department in Centerpoint I. He told the Board that the original authorization in February 2018, was a not to exceed amount of \$3,800,000. An August 2019 amendment increased the not to exceed amount by \$750,000 (19.7% of the allowable 25% increase to the original authorization). This amendment would increase the previous contract not to exceed amount by \$200,000, for a revised total, not to exceed amount of \$4,750,000, which is within the allowable 25% increase to the original authorization.

Councilmember Kleinman entered the meeting.

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

Item 5 Resolution Authorizing an Amendment to the Lease with Albany Road-Centerpoint, LLC for NCTCOG Office Space

Monte Mercer, Deputy Executive Director, told the Board that this amendment to the lease agreement between NCTCOG and Albany Road-Centerpoint, LLC will increase the current approved amount of \$2,715,000 by \$296,000, resulting in a not to exceed amount of \$3,011,000, (plus applicable two percent or \$.50 per square foot annual escalation costs). He explained that NCTCOG currently leases approximately 154,000 square feet of office space within Centerpoint (CP) Buildings I, II, and III and have a need for approximately 12,854 square feet of additional space, which will be located within the fourth floor of CP III. 9,854 square feet will be used by the Texas Workforce Commission (TWC), which has requested space to house its Vocational Rehabilitation Division staff. All lease costs for this space will be the responsibility of TWC under a sublease agreement with NCTCOG. 3,000 square feet of the extra space will be used by the Workforce Development Department's childcare staff.

Exhibit: 2019-09-05-AA

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

Item 6 There was no Item 6.

Item 7 Resolution Approving Amended North Central Texas (NCT) Collaborative Adaptive Sensing of the Atmosphere (CASA) WX Executive Council Operating and Policy Guidelines

Molly McFadden, Director of Emergency Preparedness, told the Board that the North Central Texas (NCT) Collaborative Adaptive Sensing of the Atmosphere (CASA) WX Executive Council is recommending administrative updates to the NCT CASA WX Executive Council Operating and Policy Guidelines. She explained that the recommended amendments address changes detailing council member attendance and voting and add information clarifying participation in scheduled Council meetings via teleconference and/or video conference.

Exhibit: 2019-09-07-EP

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

Item 8 Resolution Authorizing Acceptance of the FY2019 Homeland Security Grant Program (HSGP) Funds to Support Regional Activities

Molly McFadden, Director of Emergency Preparedness, asked the Board to endorse the grant application and authorize receipt of approximately \$1,850,000 in funds for the FY 2019 Homeland Security Grant Program (HSGP). She explained that these funds will provide continued planning, equipment, training, and exercise assistance to local governments, and support the regional Citizen Corps Program. This funding is a part of the 2019 Department of Homeland Security (DHS) Appropriations Act. NCTCOG annually leads the application process for the HSGP, as outlined and accepted by the Regional Emergency Preparedness Advisory Committee (REPAC), the Emergency Preparedness Planning Council (EPPC), and the Executive Board.

Exhibit: 2019-09-03-EB

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

Item 9 Resolution Approving the Fiscal Year 2020 and 2021 NCTCOG Regional Solid Waste Funding Application

Tamara Cook, Manager, Environment & Development, informed the Board that the Texas Commission on Environmental Quality (TCEQ) has allocated approximately \$2.3 million to NCTCOG for the FY2020-2021 biennium. She explained that the legislatively appropriated funds are generated from solid waste tipping fees and allocated to councils of governments using a specific formula. She said the NCTCOG Regional Solid Waste Funding Application indicates how NCTCOG intends to spend the allocated solid waste funds to conduct activities consistent with the regional and state solid waste management plans, including a pass-through grant program. The application was approved by the Resource Conservation Council and will be submitted to the TCEQ.

Exhibit: 2019-09-09-ED

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

Item 10 Resolution Authorizing A Contract Amendment with Burns & McDonnell Engineering Company, Inc.

Tamara Cook, Manager, Environment & Development, asked the Board to authorize an amendment to the contract with Burns & McDonnell Engineering Company, Inc., increasing the not to exceed amount by \$60,000, for a revised total contract amount not to exceed \$360,000. She explained that the Resource Conservation Council (RCC), NCTCOG's solid waste advisory committee, has identified funding and is recommending a second waste characterization study to compare against the baseline data established in the first study. The data will be used to determine the effectiveness of the educational campaign component of the project initiated in August 2018.

Exhibit: 2019-09-10-ED

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

Item 11 Resolution Authorizing an Agreement with Texas Education Service Center Region 11 for a Teacher Externship Program

David Setzer, Director of Workforce Development, explained that the North Central Texas Workforce Development Board (Workforce Board); has received discretionary statewide alternative funding for employment and training activities under Title I of the Workforce Innovation and Opportunity Act (WIOA). The Workforce Board has identified a need to establish and provide externships for teachers, counselors, and administrators from high schools and middle schools within the Workforce Board area. This Teacher Externship Program, in an amount not to exceed \$200,000, will target 200 teachers, counselors, and administrators from high schools and middle schools and will use the Region 11 Texas Education Service Center to implement the program during the

Summer of 2020. Teachers will expand their industry knowledge, which is intended to prepare them to inform, educate and guide students to industries that match the student's skill sets and interests.

Exhibit: 2019-09-11-WF

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

Item 12 Resolution Authorizing a Lease Agreement for the Weatherford Workforce Center

David Setzer, Director of Workforce Development, explained that the Texas Workforce Commission (TWC) has requested space to integrate eleven Vocational Rehabilitation (VR) staff at the current Weatherford workforce center. Pending that integration, the Board authorized a two-year extension of the current Weatherford lease, effective February 1, 2019. It has now been determined that the Weatherford location is insufficient to accommodate the additional VR staff. NCTCOG staff have negotiated favorable terms for construction of a new facility with a customized floor plan constructed according to NCTCOG specifications, which will be located on the Weatherford College campus. This ten-year lease agreement for that facility has an averaged ten-year rate not to exceed \$21.00 per square foot (full service including insurance, janitorial, utilities, and maintenance).

Exhibit: 2019-09-12-WF

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

Item 13 Resolution Authorizing a Contract with CTJ Maintenance, Inc. for Workforce Center Janitorial Services

David Setzer, Director of Workforce Development, explained that the current janitorial contract with Service Master Quality Cleaning Services, for approximately \$160,000 annually, ends on September 30, 2019. The contract applies to ten of the 11 Workforce center facilities in the region. Based on review of the janitorial vendors available via cooperative contracts, CTJ Maintenance, Inc. was selected and is being recommended (via a Tarrant County Cooperative Contract), for an amount not to exceed \$870,000, and for a contract term through December 31, 2023.

Judge Jenkins inquired about the existence of Board policy regarding requiring contractors to pay a living wage. He expressed the desire to have contracts that require paying a living wage. He asked if the contract for this item could be delayed or amended to authorize a shorter period so that the living wage policy issue could be deliberated and possibly applied. The Board discussed the living wage issues at length and Judge Jenkins requested an analysis be conducted and placed on the agenda regarding adopting a living wage policy. Councilmember Kleinman reported that the Dallas City Council had asked their staff to evaluate the impact of adopting a living wage policy.

Judge Hill inquired about Board policy on the process for requesting an item be placed on the agenda. He expressed concern that Judge Jenkin's request might be perceived as a request from the whole board and he objected to that perception because he disagreed with the request.

Executive Director Mike Eastland responded that he thought any member could request an item be placed on the agenda and that staff would look at any item the Board requests. He said that he will also need to discuss the development or application of such a policy with the Workforce Board, as they also have a responsibility in this case.

The Board discussed the time factor for approval of this particular item, including: the feasibility of delaying the item; the possibility of using the contracts three month evaluation period to discuss and set a living wage policy; the reasonableness of asking staff to repeat the selection process; the legal issues surrounding the terms under which the contract was bid; and the fact that the Workforce Board had already considered and recommended approval of the contract. Several Board members expressed concern about delaying the item. Mayor Shetter added that he thinks people in his area are concerned about offering a living wage, and he would like to see an analysis of the impact, but he was not sure if it was reasonable to ask staff to apply a possible future policy to the contractor that was chosen under the current policy.

Judge Jenkins again requested that the Board put the issue of a living wage on the agenda. Mr. Eastland said that the living wage matter would be placed on the October agenda for further discussion.

Upon a motion by Mayor Smith to approve the item, (seconded by Judge Hill), nine members voted to approve the resolution as presented, and four members voted against approval of the item.

Item 14 Resolution Authorizing Agreements for the Receipt of Funds from the Federal Transit Administration

Michael Morris, Director of Transportation, told the Board that this resolution supersedes previous action by the Executive Board and the Regional Transportation Council (RTC) that authorized receipt of Surface Transportation Block Grant (STBG) funds and the execution of an agreement through the Texas Department of Transportation (TxDOT), in the amount of \$5,000,000, for the completion of the Dallas Fort Worth Core Express Service High Speed Rail Environmental Process. He explained that prior to federal authorization of the previously approved funds, the Federal Highway Administration (FHWA) requested that the Federal Transit Administration (FTA) provide federal administration and oversight of these grant funds. Through coordination with TxDOT, FHWA, FTA and the Federal Railroad Administration, it was determined that the grant oversight and administration of these funds should be handled through FTA. Because the funds will now be received from the Federal Transit Administration (FTA) instead of TxDOT, it is necessary to seek authorization again.

Funding for the Travel Survey and Data Collection Program (using \$1,581,000 of STBG funding), will be also be administered through FTA. This project funds a transit travel survey to be used by the Dallas Area Rapid Transit, Fort Worth Transportation Authority, and the Denton County Transportation Authority and to support NCTCOG's travel model development efforts. As this effort is being conducted in part at the request of the transit agencies, they have agreed to provide a local contribution in the amount of approximately \$900,000, which the Executive Board previously approved.

Exhibit: 2019-09-14-TR

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

Item 15 Resolution Authorizing Purchase and Placement of Advertising for Transportation Initiatives

Michael Morris, Director of Transportation, asked the Board to authorize agreements with various multimedia outlets for the purchase and placement of advertising in Fiscal Year (FY) 2020 for Transportation Department initiatives in an amount up to \$1,300,000. He informed the Board that approximately 65 percent of this amount is previously approved carryover funds. He explained that it is beneficial for various Transportation Department program areas to coordinate multimedia advertising and this has resulted in increased website traffic, greater public participation, and lower advertising rates. Advertisements may be placed in print publications, online, radio, TV, billboards, social media, transit and other transportation modes. He told the Board that FY 2020 Advertising for Transportation Initiatives was included in the FY2020 and FY2021 Unified Planning Work Program (UPWP), which was approved by the Regional Transportation Council (RTC) and Executive Board. This advertising may include the purchase and placement of department advertising for the following:

- The 511DFW Program
- The Business Engagement Program
- The Congestion Management Program
- The HOV 2+ Incentive
- The Look Out Texans Program
- Notifications of Opportunities for Public Input/Public Meetings
- The Ozone Season Emissions Reduction Campaign
- The Unmanned Aircraft Systems (UAS) Safety and Integration Initiatives Campaign
- The Vehicle Technologies Program

Exhibit: 2019-09-15-TR

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

Item 16 Resolution Approving Disadvantaged Business Enterprise Participation Goal Update for Fiscal Years 2020-2022

Michael Morris, Director of Transportation, explained that 49 Code of Federal Regulations (CFR) Part 26 requires recipients of federal transportation funds to develop a Disadvantaged Business Enterprise (DBE) Program and Goal consistent with the spirit and intent of those regulations and to update the goal every three years. Based on the analysis conducted and comments from the public and contractor community, he recommended a 19.4 percent DBE goal for United States Department of Transportation assisted contracts, as well as all other procurements initiated through the Transportation Department, regardless of funding source. The proposed goal and supporting materials were published for review and comment for the federally required 45-day comment period and were approved by the Regional Transportation Council.

Exhibit: 2019-09-16-TR

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

APPOINTMENTS:

Item 17 Appointments to the Collaborative Adaptive Sensing of the Atmosphere (CASA WX) Executive Council

Molly McFadden, Director of Emergency Preparedness, asked the Board to approve new appointments to the CASA WX Executive Council for FY 2020, as follows:

- Mistie Garner with the City of Richardson
- EMC Suzanne Hendrickson with the City of Euless
- EMC Mike Penaluna with the City of Denton
- EMC Will Allen with the City of Burleson
- Fox 4 Meteorologist Alberto Romero (Kylie Capps as alternate)
- WFAA 8 Meteorologist Jesse Hawila (Kyle Roberts as alternate)
- Channel 11 Meteorologist Jeff Ray (Jeff Jamison as alternate)

Judge Jenkins left the room.

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

Item 18 Appointments to Department of Environment and Development Advisory Committees - Tamara Cook, Manager, Environment & Development

Tamara Cook, Manager, Environment & Development, asked the Board to approve appointments to the Environment and Development Advisory Committees, as follows:

PUBLIC WORKS COUNCIL

Chair and Vice Chair leadership positions are one-year terms; members serve two-year terms)

Chair: Keith Marvin, Director of Public Works, City of Lewisville
Vice Chair: Shawn Poe, Director of Engineering, City of Richardson

Public Sector Standing Member

City of Arlington	Keith Brooks, Assistant Director of Public Works & Transportation
City of Dallas	Jennifer Nicewander, Senior Engineer
City of Fort Worth	David Magana, City Engineer
City of Grand Prairie	Stephanie Griffin, Floodplain Administrator/ Stormwater Utility Manager
City of Lewisville	Keith Marvin, Director of Public Services
City of Mesquite	Christina Hickey, Infrastructure Asset Manager
City of Plano	Gerald Cosgrove, Director of Public Works
City of Richardson	Shawn Poe, Director of Engineering
Tarrant County	Joe Trammel, County Engineer

Public Sector Subregional Representative

DFW North	Clayton Riggs, Assistant Director of Public Works, Town of Flower Mound
Northeast Tarrant	Kyle Hogue, City Engineer / Deputy Director, City of Southlake
Northwest Dallas	Mike Garza, Assistant Director of Public Works, City of Coppell
Northwest Tarrant	Kyle Reeves, Public Works Director, City of White Settlement
South Tarrant	Larry Hoover, Director of Public Works, Town of Kennedale
Southeast	Ed Green, Public Works Project Manager, City of Ennis

Private Sector

Associated General Contractors	Paul Causey, North Texas Area Manager Associated General Contractors of Texas
Associated General Contractors	Sam Davis, Vice President/General Manager, TexasBit
Council of Engineering Companies	Chris Cha, Associate Principal - Pacheco Koch ACEC-Tarrant County
Council of Engineering Companies	John Ho, Vice President, Huitt-Zollars

REGIONAL CODES COORDINATING COMMITTEE

Chair and Vice Chair leadership positions are one-year terms; members serve two-year terms)

Chair:	David Kerr, Deputy Chief/Fire Marshal, City of Melissa
Vice Chair:	Jim Olk, Building Official, City of Garland

Public Sector Members

City of Arlington	Rick Ripley, Building Official
City of Coppell	Suzanne Arnold, Chief Building Official
City of Corinth	Grover C. Joiner (Cleve), Certified Building Official, City of Corinth
City of Fort Worth	Allison Gray, Assistant Director, Development Div.
City of Fort Worth	Bob Morgan, Senior Fire Protection Engineer
City of Hurst	Robert Wallace, Building Official
City of Irving	Christine Hadley, Development Services Manager
City of Mansfield	Paul Coker, Chief Building Official
City of Melissa	David Kerr, Deputy Chief/Fire Marshal, City of Melissa
Associated General Contractors	Larry Bartlett, Lead Plumbing Coordinator, TDIndustries
Private Sector Representative	Dan Lepinski, P.E., Principle
American Institute of Architects, East	Bruce Rachel, Architect, Hensley Lamkin Rachel, Inc.
Society of Fire Protection Engineers	James Rodriguez, Ex. VP, Fox Energy Specialists, Greater Fort Worth Builders Association
Energy Specialist	Bahman Yazdani, Associate Director, Texas A&M Energy Systems Laboratory
Dallas Builders Association	David Lehde, Director of Government Affairs, Dallas Builders Association
Dallas Builders Association	Tommy Ford, President, Tommy Ford Construction Company

RESOURCE CONSERVATION COUNCIL

(Chair and Vice Chair leadership positions are one-year terms; members serve two-year terms)

Chair:	Stephen Massey, Community Services Director, City of Allen
Vice Chair:	Jeff Mayfield, Assistant Deputy Director Solid Waste, North Texas Municipal Water District

Public Sector Members

City of Allen	Stephen Massey, Community Services Director
City of Arlington	Jennifer Shaver, Environmental Programs Coordinator
City of Cedar Hill	Duy Vu, Environmental Manager, City of Cedar Hill
City of Denton	Ami Reeder, Regulatory Compliance Manager
City of Euless	Betsy Deck, Assistant to the City Manager
City of Fort Worth	Robert Smouse, Assistant Director, Solid Waste Services
City of Irving	Tyler Hurd, Solid Waste Services Waste Collections Manager
City of Lewisville	Tim Yatko, Materials Management Specialist
City of Plano	Steve Funk, Environmental Waste Services Superintendent
City of Weatherford	Dustin Deel, Director of Municipal and Community Services
Collin County	Joshua Mounger, Criminal Investigator
Ellis County	David Bull, Ellis County Deputy Fire Marshal
Wise County	Joey Highfill, Public Works Director

Other

Environmental	Grace Darling, Board Member, Arlington Conservation Council
Private Sector	Greta J. Calvery, Area Public Affairs Manager, Waste Manager
Private Sector	Adam Gooderham, Division Vice President, Waste Connections

WATER RESOURCES COUNCIL

Chair and Vice Chair leadership positions are one-year terms; members serve two-year terms)

Chair:	Wayne Owen, Planning Director, Tarrant Regional Water District
Vice Chair:	Glenn Clingenpeel, Manager, Technical Services & Basin Planning, Trinity River Authority

Major Utility Providers

City of Dallas	Zachary Peoples, Assistant Director, Wastewater Operations
N Texas Municipal Water District	Mike Rickman, Deputy Director
Upper Trinity Reg. Water District	Larry Patterson, Executive Director

Environmental/Public Interest Groups

Environmental Group	Grace Darling, Arlington Conservation Council
Public Interest Group	Michael Nieswiadomy, Professor of Economics, University of North Texas
Public Interest Group	Meghna Tare, Chief Sustainability Officer, University of Texas at Arlington

Major Utility Providers Customer Members-At-Large

	Terry Lowery, Director, Dallas Water Utilities
City of Fort Worth	Gregory Dickens, Executive Director of Public Works, City of Hurst
City of Fort Worth	Jerry Pressley, Assistant Director, Water Department, City of Fort Worth
Tarrant Regional Water District	Jeff Price, Utilities Director, City of Mansfield
Upper Trinity Reg. Water District	Tiffany Bruce, Executive Director of Public Works, Town of Flower Mound

Utility Provider, Development Community or Industry Representative Region-At-Large

Utility Provider	Joshua Howard, Utility Services Manager, Johnson County Special Utility District
Industry Representative	Sabaa Ismail, Project Manager, MMA, INC.
Development Community	Tim James, Business Development Manager, Halff Associates
Utility Provider	Gabe Johnson, Director of Public Works, City of Grand Prairie
Utility Provider	Larry McDaniel, General Manager, Dallas County Park Cities Municipal Utility District
Utility Provider	Kelly Rouse, Utilities Manager, City of Lewisville
Development Community	Craig Schkade, Senior Land Development Manager, Hillwood Properties

Judge Jenkins returned to the room.

Upon a Motion by Mayor Heidemann (seconded by Councilmember Caplinger), and unanimous vote of all members present, the Board approved the appointments as presented.

STATUS REPORTS:**Item 19 Status Report on Congestion Performance Measures**

Michael Morris, Director of Transportation, told the Board that in recent years congestion in the Dallas-Fort Worth region has continued to improve. He provided an update on the most recent Congestion Performance Measures data and a comparison of the Dallas-Fort Worth region's congestion levels.

MISCELLANEOUS:**Item 20 Old and New Business**

There was no old or new Business.

Item 21 Future Calendar and Attendance

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

President Clark adjourned the meeting at 2:48 pm.

Approved by:

Checked by:

J. D. Clark, President
North Central Texas Council of Governments
County Judge, Wise County

Mike Eastland, Executive Director
North Central Texas Council of Governments



North Central Texas Council of Governments

Item 2

Exhibit: 2019-10-02-AA

Meeting Date: October 24, 2019

Submitted By: Molly Rendon
Director of Administration

Item Title: Resolution to Accept and Approve the Quarterly Investment Report

An Investment Report, as required by the Investment Policy, is submitted for management and Executive Board review. This Investment Report provides information on the investment activity for the quarter ended September 30, 2019.

The enclosed schedule, which complies with NCTCOG's Investment Policy and the Public Funds Investment Act, shows the average rate of return, cumulative transactions, beginning and ending balances for this quarter.

In addition, a supplementary schedule regarding the State's investment activity of the Regional Toll Revenue funds as well as the NTTA Hwy 161 funds has been provided.

I will be available at the Executive Board meeting to answer any questions.

RESOLUTION TO ACCEPT AND APPROVE THE QUARTERLY INVESTMENT REPORT

WHEREAS, the North Central Texas Council of Governments (NCTCOG) is a Texas political subdivision and non-profit corporation organized and operating under Texas Local Government Code Chapter 391 as the regional planning commission for the 16-county North Central Texas region; and,

WHEREAS, NCTCOG is a voluntary association of, by and for local governments established to assist in planning for common needs, cooperating for mutual benefit, and coordinating for sound regional development; and,

WHEREAS, NCTCOG's Quarterly Investment Report for the quarter ended September 30, 2019, is hereby submitted in accordance with the Public Funds Investment Act; and,

WHEREAS, the Executive Board has reviewed the document and finds it to be in compliance with the Act.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

Section 1. The North Central Texas Council of Governments Executive Board hereby accepts and approves the Quarterly Investment Report for the quarter ended September 30, 2019.

Section 2. This resolution shall be in effect immediately upon its adoption.

J.D. Clark, President
North Central Texas Council of Governments
County Judge, Wise County

I hereby certify that the resolution was adopted by the Executive Board of the North Central Texas Council of Governments on October 24, 2019.

Curtistene McCowan, Secretary-Treasurer
North Central Texas Council of Governments
Mayor, City of DeSoto

NCTCOG Quarterly Investment Report								
Fiscal Year 2019 Quarter 4								
Ended 9-30-2019								
Investment Portfolio Detail by Fund								
Description	Account #	Program	Beginning Balance	Deposits	Withdrawals	Interest	Ending Balance	% of Total
TexPool	2200400001	General Fund	\$ 10,875,844.63	\$ 4,068,014.98	\$ (7,462,793.03)	\$ 48,052.81	\$ 7,529,119.39	10.16%
Logic	6049012001	General Fund	461.88	-	-	2.74	464.62	0.00%
TexStar	2200411110	General Fund	2,892,824.52	2,953,385.19	-	16,298.85	5,862,508.56	7.91%
General Fund			\$ 13,769,131.03	\$ 7,021,400.17	\$ (7,462,793.03)	\$ 64,354.40	\$ 13,392,092.57	18.07%
TexPool	2200400002	Solid Waste	\$ 1,067,927.37	\$ -	\$ (714,229.67)	\$ 4,435.03	\$ 358,132.73	0.48%
TexPool	2200400003	Supplemental Environmental Projects	118,408.15	-	(70,293.65)	566.23	48,680.73	0.07%
TexPool	2200400004	Air Check Texas	14,669,143.39	8,099.35	(17,407.58)	83,030.22	14,742,865.38	19.89%
TexPool	2200400005	9-1-1 Operating ⁽¹⁾	-	-	-	-	-	0.00%
TexPool	2200400007	Transportation Revenue Center 5 Funds	14,315,506.56	454,693.68	(316,084.08)	82,330.17	14,536,446.33	19.61%
TexStar	2200411111	Transportation	6,011,179.93	-	(1,750,895.61)	33,413.44	4,293,697.76	5.79%
TexStar	2200421009	Exchange Funds Principal Pooled	22,318,735.33	-	(1,326,629.73)	124,140.15	21,116,245.75	28.49%
TexStar	2200431009	Exchange Funds Earnings Pooled	5,477,780.99	124,140.15	-	30,765.90	5,632,687.04	7.60%
Special Revenue Fund			\$ 63,978,681.72	\$ 586,933.18	\$ (4,195,540.32)	\$ 358,681.14	\$ 60,728,755.72	81.93%
Total			\$ 77,747,812.75	\$ 7,608,333.35	\$ (11,658,333.35)	\$ 423,035.54	\$ 74,120,848.29	100.00%
Investment Portfolio Detail by Investment Type								
Description	Account #	Program	Beginning Balance	Deposits	Withdrawals	Interest	Ending Balance	% of Total
TexPool	2200400001	General Fund	\$ 10,875,844.63	\$ 4,068,014.98	\$ (7,462,793.03)	\$ 48,052.81	\$ 7,529,119.39	10.16%
TexPool	2200400002	Solid Waste	1,067,927.37	-	(714,229.67)	4,435.03	358,132.73	0.48%
TexPool	2200400003	Supplemental Environmental Projects	118,408.15	-	(70,293.65)	566.23	48,680.73	0.07%
TexPool	2200400004	Air Check Texas	14,669,143.39	8,099.35	(17,407.58)	83,030.22	14,742,865.38	19.89%
TexPool	2200400005	9-1-1 Operating ⁽¹⁾	-	-	-	-	-	0.00%
TexPool	2200400007	Transportation Revenue Center 5 Funds	14,315,506.56	454,693.68	(316,084.08)	82,330.17	14,536,446.33	19.61%
TexPool			\$ 41,046,830.10	\$ 4,530,808.01	\$ (8,580,808.01)	\$ 218,414.46	\$ 37,215,244.56	50.21%
Logic	6049012001	General Fund	\$ 461.88	\$ -	\$ -	\$ 2.74	\$ 464.62	0.00%
TexStar	2200411110	General Fund	\$ 2,892,824.52	\$ 2,953,385.19	\$ -	\$ 16,298.85	\$ 5,862,508.56	7.91%
TexStar	2200411111	Transportation	6,011,179.93	-	(1,750,895.61)	33,413.44	4,293,697.76	5.79%
TexStar	2200421009	Exchange Funds Principal Pooled	22,318,735.33	-	(1,326,629.73)	124,140.15	21,116,245.75	28.49%
TexStar	2200431009	Exchange Funds Earnings Pooled	5,477,780.99	124,140.15	-	30,765.90	5,632,687.04	7.60%
TexStar			\$ 36,700,520.77	\$ 3,077,525.34	\$ (3,077,525.34)	\$ 204,618.34	\$ 36,905,139.11	49.79%
Total			\$ 77,747,812.75	\$ 7,608,333.35	\$ (11,658,333.35)	\$ 423,035.54	\$ 74,120,848.29	100.00%

⁽¹⁾ To be used for the North Central Texas Emergency Communications District funds

NCTCOG Quarterly Investment Report						
Fiscal Year 2019 Quarter 4						
Ended 9-30-2019						
Investment Portfolio Summary						
Description	Beginning Balance	Deposits	Withdrawals	Interest	Ending Balance	% of Total
General Fund	\$ 13,769,131.03	\$ 7,021,400.17	\$ (7,462,793.03)	\$ 64,354.40	\$ 13,392,092.57	18.07%
Special Revenue	63,978,681.72	586,933.18	(4,195,540.32)	358,681.14	60,728,755.72	81.93%
Total	\$ 77,747,812.75	\$ 7,608,333.35	\$ (11,658,333.35)	\$ 423,035.54	\$ 74,120,848.29	100.00%
Fiscal Year 2019 to Date						
Pool Description	Beginning Balance	Deposits	Withdrawals	Interest	Ending Balance	% of Total
TexPool	\$ 48,291,741.15	\$ 53,721,277.22	\$ (65,821,277.22)	\$ 1,023,503.41	\$ 37,215,244.56	50.21%
Logic	453.47	-	-	11.15	464.62	0.00%
TexStar	26,212,620.18	29,048,807.45	(19,048,807.45)	692,518.93	36,905,139.11	49.79%
Total	\$ 74,504,814.80	\$ 82,770,084.67	\$ (84,870,084.67)	\$ 1,716,033.49	\$ 74,120,848.29	100.00%
Year to Date Interest						
Pool Description	Fiscal Year 2019			Fiscal Year 2018		
	General Fund	Special Revenue	Total	General Fund	Special Revenue	Total
TexPool	\$ 151,770.14	\$ 871,733.27	\$ 1,023,503.41	\$ 83,517.08	\$ 707,233.43	\$ 790,750.51
Logic	11.15	-	11.15	8.39	-	8.39
TexStar	117,301.26	575,217.67	692,518.93	98,584.62	274,142.58	372,727.20
Total	\$ 269,082.55	\$ 1,446,950.94	\$ 1,716,033.49	\$ 182,110.09	\$ 981,376.01	\$ 1,163,486.10
Interest Rate Averages						
Rate Description	September-2019	September-2018	FY 2019 Qtr 4	FY 2018 Qtr 4	FY 2019 thru September-2019	FY 2018 thru September-2018
90 Day T-Bill	1.8900%	2.1300%	1.9800%	2.0400%	2.2458%	1.6617%
TexPool	2.1635%	1.9953%	2.2409%	1.9351%	2.3146%	1.5350%
Logic	2.2461%	2.2112%	2.3445%	2.1902%	2.4730%	1.7853%
TexStar	2.1065%	1.9995%	2.2069%	1.9395%	2.3100%	1.5367%

All funds are invested in investment pools whose book and market value are the same.



Deputy Executive Director

Regional Toll Revenue (RTR) Supplementary Report ⁽¹⁾											
Fiscal Year 2019 Quarter 4 Thru 8-31-2019											
Investment Balances Summary											
This Month											
Fund Description	Beginning Balance		Deposits	Withdrawals ⁽²⁾	Interest	Ending Balance	% of Total				
SH121 ACCOUNT 1 NEAR NEIGHBOR, NEAR TIMEFRAME	\$	379,037,718.71	\$	-	\$	785,201.45	\$	360,899,095.91	54.08%		
SH121 ACCOUNT 2, EXCESS REVENUE		260,753,206.41		888,647.02		322,684.12		542,199.13	262,506,736.68	39.33%	
SH161 ACCOUNT 1 NEAR NEIGHBOR, NEAR TIMEFRAME		33,283,491.46		-		(184,956.05)		69,134.23	33,167,669.64	4.97%	
SH161 ACCOUNT 2, EXCESS REVENUE		10,766,990.11		-		-		22,364.65	10,789,354.76	1.62%	
Total	\$	683,841,406.69	\$	888,647.02	\$	(18,786,096.18)	\$	1,418,899.46	\$	667,362,856.99	100.00%
This Quarter											
Fund Description	Beginning Balance		Deposits	Withdrawals	Interest	Ending Balance	% of Total				
SH121 ACCOUNT 1 NEAR NEIGHBOR, NEAR TIMEFRAME	\$	373,173,089.08	\$	-	\$	(13,828,105.50)	\$	1,554,112.33	\$	360,899,095.91	54.08%
SH121 ACCOUNT 2, EXCESS REVENUE		260,757,382.42		1,678,618.37		(1,006,822.73)		1,077,558.62		262,506,736.68	39.33%
SH161 ACCOUNT 1 NEAR NEIGHBOR, NEAR TIMEFRAME		33,214,359.73		-		(184,066.96)		137,376.87		33,167,669.64	4.97%
SH161 ACCOUNT 2, EXCESS REVENUE		10,744,913.04		-		-		44,441.72		10,789,354.76	1.62%
Total	\$	677,889,744.27	\$	1,678,618.37	\$	(15,018,995.19)	\$	2,813,489.54	\$	667,362,856.99	100.00%
Last Quarter											
Fund Description	Beginning Balance		Deposits	Withdrawals	Interest	Ending Balance	% of Total				
SH121 ACCOUNT 1 NEAR NEIGHBOR, NEAR TIMEFRAME	\$	390,329,201.98	\$	-	\$	(19,621,507.83)	\$	2,465,394.93	\$	373,173,089.08	55.05%
SH121 ACCOUNT 2, EXCESS REVENUE		257,719,741.41		2,356,692.18		(972,898.53)		1,653,847.36		260,757,382.42	38.47%
SH161 ACCOUNT 1 NEAR NEIGHBOR, NEAR TIMEFRAME		35,165,122.34		-		(2,170,265.72)		219,503.11		33,214,359.73	4.90%
SH161 ACCOUNT 2, EXCESS REVENUE		10,676,573.09		-		-		68,339.95		10,744,913.04	1.59%
Total	\$	693,890,638.82	\$	2,356,692.18	\$	(22,764,672.08)	\$	4,407,085.35	\$	677,889,744.27	100.00%

⁽¹⁾ All funds are invested by the Texas Treasury Safekeeping Trust Company; interest earned in the current month is credited in the following month

Regional Toll Revenue (RTR) Supplementary Report ⁽¹⁾						
Fiscal Year 2019 Quarter 4 Thru 8-31-2019						
Investment Balances Summary						
Fiscal Year 2019 to Date						
Fund Description	Beginning Balance	Deposits	Withdrawals	Interest	Ending Balance	% of Total
SH121 ACCOUNT 1 NEAR NEIGHBOR, NEAR TIMEFRAME	\$ 407,291,375.51	\$ 11,907,277.24	\$ (67,018,210.35)	\$ 8,718,653.51	\$ 360,899,095.91	54.08%
SH121 ACCOUNT 2, EXCESS REVENUE	257,484,000.45	8,802,200.00	(9,535,508.96)	5,756,045.19	262,506,736.68	39.33%
SH161 ACCOUNT 1 NEAR NEIGHBOR, NEAR TIMEFRAME	33,362,828.78	-	(944,336.04)	749,176.90	33,167,669.64	4.97%
SH161 ACCOUNT 2, EXCESS REVENUE	10,551,606.11	1,595.21	(771.35)	236,924.79	10,789,354.76	1.62%
Total	\$ 708,689,810.85	\$ 20,711,072.45	\$ (77,498,826.70)	\$ 15,460,800.39	\$ 667,362,856.99	100.00%
Inception to Date						
Fund Description	Beginning Balance	Deposits	Withdrawals	Interest	Ending Balance	% of Total
SH121 ACCOUNT 1 NEAR NEIGHBOR, NEAR TIMEFRAME	\$ -	\$ 2,567,902,107.70	\$ (2,426,692,765.94)	\$ 219,689,754.15	\$ 360,899,095.91	54.08%
SH121 ACCOUNT 2, EXCESS REVENUE	-	1,065,650,546.87	(866,786,542.50)	63,642,732.31	262,506,736.68	39.33%
SH161 ACCOUNT 1 NEAR NEIGHBOR, NEAR TIMEFRAME	-	151,466,358.59	(122,734,784.04)	4,436,095.09	33,167,669.64	4.97%
SH161 ACCOUNT 2, EXCESS REVENUE	-	50,339,871.17	(40,987,494.19)	1,436,977.78	10,789,354.76	1.62%
Total	\$ -	\$ 3,835,358,884.33	\$ (3,457,201,586.67)	\$ 289,205,559.33	\$ 667,362,856.99	100.00%
Interest Rate Averages						
Rate Description	August-2019	August-2018	FY 2019 Qtr 4 thru August-2019	FY 2018 Qtr 4 thru August-2018	FY 2019 thru August- 2019	FY 2018 thru August- 2018
90 Day T-Bill	1.9500%	2.0300%	2.0250%	1.9950%	2.2782%	1.6191%
TexPool	2.1715%	1.9205%	2.2796%	1.9051%	2.3284%	1.4931%
Logic	2.3324%	2.1843%	2.3937%	2.1797%	2.4936%	1.7466%
TexStar	2.1258%	1.9225%	2.2571%	1.9095%	2.3285%	1.4946%
State Comptroller	2.3327%	2.1004%	2.3900%	2.0815%	2.4480%	1.7394%

⁽¹⁾ All funds are invested by the Texas Treasury Safekeeping Trust Company; interest earned in the current month is credited in the following month



North Central Texas Council of Governments

Item 3

Exhibit: 2019-10-03-AA

Meeting Date: October 24, 2019

Submitted By: Molly Rendon
Director of Administration

Item Title: Resolution to Review and Approve NCTCOG's Investment Policy

In accordance with the Public Funds Investment Act (PFIA), a public entity's investment policy must be reviewed annually by its governing body. The North Central Texas Council of Government's Investment Policy, which includes a listing of authorized brokers, is enclosed for Executive Board review.

Recommended changes are as follows:

III. SCOPE (page1)

Updated to reflect the inclusion of North Central Texas Emergency Communications District funds.

V. RESPONSIBILITY AND CONTROL (page 3)

Designation of the Deputy Executive Director as NCTCOG's investment officer has been changed to the Director of Administration.

I will be available at the Executive Board meeting to answer any questions.

⁽¹⁾ The Authorized Brokers/Dealers list is updated each year based on the City of Arlington and City of Carrollton respective lists. There are no changes that affect NCTCOG's list.

RESOLUTION TO REVIEW AND APPROVE NCTCOG'S INVESTMENT POLICY

WHEREAS, the North Central Texas Council of Governments (NCTCOG) is a Texas political subdivision and non-profit corporation organized and operating under Texas Local Government Code Chapter 391 as the regional planning commission for the 16-county North Central Texas region; and,

WHEREAS, NCTCOG is a voluntary association of, by and for local governments established to assist in planning for common needs, cooperating for mutual benefit, and coordinating for sound regional development; and,

WHEREAS, the Public Funds Investment Act requires public entities to develop written investment policies and strategies reviewed and approved annually by the governing body; and,

WHEREAS, the Public Funds Investment Act requires the governing body or designated investment committee of public entities to review and adopt annually a list of qualified brokers authorized to engage in investment transactions with the entity; and,

WHEREAS, the NCTCOG Investment Policy, which includes a listing of authorized brokers, has been presented to and reviewed by the Executive Board; and,

WHEREAS, the Executive Board finds the policy to provide for the safe and prudent investment of funds.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

Section 1. The NCTCOG Executive Board approves the Investment Policy as included in Attachment.

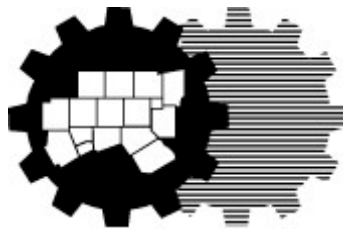
Section 2. NCTCOG staff is authorized to take such investment actions as the approved policy permits with authorized brokers.

Section 3. This resolution shall be in effect immediately upon its adoption.

J.D. Clark, President
North Central Texas Council of Governments
County Judge, Wise County

I hereby certify that this resolution was adopted by the Executive Board of the North Central Texas Council of Governments on October 24, 2019.

Curtistene McCowan, Secretary-Treasurer
North Central Texas Council of Governments
Mayor, City of DeSoto



Investment Policy

North Central Texas
Council of Governments

October 16, 2019

INVESTMENT POLICY

I. POLICY

It is the policy of the North Central Council of Governments (NCTCOG) that after allowing for the anticipated cash flow requirements of NCTCOG and giving due consideration to the safety and risk of investment, all available funds shall be invested in conformance with these legal and administrative guidelines, seeking to optimize interest earnings to the maximum extent possible.

Effective cash management is recognized as essential to good fiscal management. Investment interest is a source of revenue to NCTCOG funds. The NCTCOG's investment portfolio shall be designed and managed in a manner designed to maximize this revenue source, to be responsive to public trust, and to be in compliance with legal requirements and limitations.

Investments shall be made with the primary objectives of:

- * **Safety** and preservation of principal
- * Maintenance of sufficient **liquidity** to meet operating needs
- * **Public trust** from prudent investment activities
- * Optimization of **interest earnings** on the portfolio

II. PURPOSE

The purpose of this investment policy is to comply with applicable statutes, rules, regulations and Chapter 2256 of the Government Code ("Public Funds Investment Act"), which requires NCTCOG to adopt a written investment policy regarding the investment of its funds and funds under its control. The Investment Policy addresses the methods, procedures and practices that must be exercised to ensure effective and judicious fiscal management of the NCTCOG's funds.

III. SCOPE

This Investment Policy shall govern the investment of all financial assets of NCTCOG. These funds are accounted for in the NCTCOG's Comprehensive Annual Financial Report (CAFR) and include:

- General Fund
- Special Revenue Funds ⁽¹⁾
- Internal Service Funds
- Enterprise Funds
- Any new fund created by NCTCOG, unless specifically exempted from this Policy by the Executive Board or by law.

⁽¹⁾ Includes funds of the North Central Texas Emergency Communications District

NCTCOG may consolidate cash balances from all funds to maximize investment earnings. Investment income will be allocated to the various funds based on their respective participation and in accordance with generally accepted accounting principles.

This Investment Policy shall apply to all transactions involving the financial assets and related activity for all the foregoing funds. However, this policy does not apply to the assets administered for the benefit of NCTCOG by outside agencies under deferred compensation programs.

The following investment strategies are the guidelines to investment of the funds of NCTCOG. All investments, when aggregated together, must be within the diversification parameters listed with the authorized investments. From time to time, on a temporary basis, the actual investments within one fund or another may vary slightly from its underlying strategy. However, these deviations should only be temporary and easily corrected.

- **Operating funds** include the general fund, internal service funds, and enterprise funds. These funds are necessary for the day to day operations of the NCTCOG's programs. Due to their short-term nature, these funds need to be available when needed. These funds will be invested in instruments authorized by this policy with a maturity not exceeding 180 days.
- **Advance funds** include any designated local, state, or federal advance funding within special revenue funds. These funds are necessary for the implementation of the NCTCOG's programs and tend to be short-term to mid-term in nature. These funds will be invested in instruments authorized by this policy with a maturity matched with programmatic needs not exceeding 365 days.
- **Designated funds** include programmed local funding within special revenue funds. These funds tend to be longer term in nature and not needed for immediate use. These funds will be invested in instruments authorized by this policy with a maturity matched with programmatic needs not exceeding two (2) years.

IV. INVESTMENT OBJECTIVES

NCTCOG shall manage and invest its cash with four primary objectives, listed in order of priority: **safety, liquidity, public trust, and yield, expressed as optimization of interest earnings**. The safety of the principal invested always remains the primary objective. All investments shall be designed and managed in a manner responsive to the public trust and consistent with state and local law.

NCTCOG shall maintain a comprehensive cash management program, which includes collection of account receivables, vendor payments in accordance with invoice terms, and prudent investment of available cash. Cash management is defined as the process of managing monies in order to insure maximum cash availability and maximum earnings on short-term investment of cash.

Safety [PFIA 2256.005(b)(2)]

Safety of principal is the foremost objective of the investment program. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The objective will be to mitigate credit and interest rate risk.

- **Credit Risk and Concentration of Credit Risk** – NCTCOG will minimize credit risk, the risk of loss due to the failure of the issuer or backer of the investment, and concentration of credit risk, the risk of loss attributed to the magnitude of investment in a single issuer, by:
 - Limiting investments to the safest types of investments
 - Pre-qualifying the financial institutions and broker/dealers with which NCTCOG will do business
 - Diversifying the investment portfolio so that potential losses on individual issuers will be minimized.
- **Interest Rate Risk** – NCTCOG will manage the risk that the interest earnings and the market value of investments in the portfolio will fall due to changes in general interest rates by limiting the

maximum weighted average maturity of the investment portfolio to 365 days. NCTCOG will, in addition,:

- Structure the investment portfolio so that investments mature to meet cash requirements for ongoing operations, thereby avoiding the need to liquidate investments prior to maturity.
- Invest operating funds primarily in certificates of deposit, shorter-term securities, money market mutual funds, or local government investment pools functioning as money market mutual funds.
- Diversify maturities and staggering purchase dates to minimize the impact of market movements over time.

Liquidity [PFIA 2256.005(b)(2)]

The investment portfolio shall remain sufficiently liquid to meet all operating requirements that may be reasonably anticipated. This is accomplished by structuring the portfolio so that investments mature concurrent with cash needs to meet anticipated demands. Because all possible cash demands cannot be anticipated, a portion of the portfolio will be invested in shares of money market mutual funds or local government investment pools that offer same-day liquidity. In addition, a portion of the portfolio may consist of securities with active secondary or resale markets.

Public Trust

All participants in NCTCOG's investment process shall seek to act responsibly as custodians of the public trust. Investment officers shall avoid any transaction that might impair public confidence in NCTCOG's ability to govern effectively.

Yield (Optimization of Interest Earnings) [PFIA 2256.005(b)(3)]

The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of secondary importance compared to the safety and liquidity objectives described above.

V. RESPONSIBILITY AND CONTROL

Delegation of Authority [PFIA 2256.005(f)]

In accordance with applicable statutes, rules, regulations and the Public Funds Investment Act, the Board designates the Director of Administration as NCTCOG's Investment Officer. An Investment Officer or designee is authorized to execute investment transactions on behalf of NCTCOG. No person may engage in an investment transaction or the management of NCTCOG funds except as provided under the terms of this Investment Policy as approved by the Board. The investment authority granted to the investing officers is effective until rescinded by the Board.

Quality and Capability of Investment Management [PFIA 2256.005(b)(3)]

NCTCOG shall provide periodic training in investments for the designated investment officer(s) and other investment personnel through courses and seminars offered by professional organizations, associations, and other independent sources in order to insure the quality and capability of investment management in compliance with the Public Funds Investment Act.

Training Requirement [PFIA 2256.008 – Local Governments]

In accordance with applicable statutes, rules, regulations and the Public Funds Investment Act, designated Investment Officers shall attend an investment training session no less often than once every

two years commencing on the first day of NCTCOG's fiscal year and consisting of the two consecutive fiscal years following that date. and shall receive not less than 10 hours of instruction relating to investment responsibilities. A newly appointed Investment Officer must attend a training session of at least 10 hours of instruction within twelve months of the date the officer took office or assumed the officer's duties. The investment training session shall be provided by an independent source approved by the Board (see Attachment). For purposes of this policy, an "independent source" from which investment training shall be obtained shall include a professional organization, an institution of higher education or any other sponsor other than a business organization with whom NCTCOG may engage in an investment transaction.

Internal Controls

The Assistant Director of Finance is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of NCTCOG are protected from loss, theft, or misuse. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that (1) the cost of a control should not exceed the benefits likely to be derived; and (2) the valuation of costs and benefits requires estimates and judgments by management.

Accordingly, the Assistant Director of Finance shall establish a process for annual independent review by an external auditor to assure compliance with policies and procedures. The internal controls shall address the following points.

- Control of collusion.
- Separation of transactions authority from accounting and record keeping.
- Custodial safekeeping.
- Avoidance of physical delivery securities.
- Clear delegation of authority to subordinate staff members.
- Written confirmation for all transactions for investments and wire transfers.
- Development of a wire transfer agreement with the depository bank or third party custodian.

Prudence [PFIA 2256.006]

The standard of prudence to be applied by the Investment Officer shall be the "prudent investor" rule. This rule states that "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived." In determining whether an Investment Officer has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration:

- The investment of all funds, or funds under NCTCOG's control, over which the officer had responsibility rather than a consideration as to the prudence of a single investment.
- Whether the investment decision was consistent with the written approved investment policy of NCTCOG.

Indemnification

The Investment Officer, acting in accordance with written procedures and exercising due diligence, shall not be held personally responsible for a specific investment's credit risk or market price changes, provided that these deviations are reported immediately and the appropriate action is taken to control adverse developments.

Ethics and Conflicts of Interest [PFIA 2256.005(i)]

Officers and employees involved in the investment process shall refrain from personal business activity that would conflict with the proper execution and management of the investment program, or that would impair their ability to make impartial decisions. Employees and Investment Officers shall disclose any material interests in financial institutions with which they conduct business. They shall further disclose any personal financial/investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with which business is conducted on behalf of the NCTCOG.

An Investment Officer of NCTCOG who has a personal business relationship with an organization seeking to sell an investment to NCTCOG shall file a statement disclosing that personal business interest. An Investment Officer who is related within the second degree by affinity or consanguinity to an individual seeking to sell an investment to NCTCOG shall file a statement disclosing that relationship. A statement required under this subsection must be filed with the Texas Ethics Commission and the Board.

VI. SUITABLE AND AUTHORIZED INVESTMENTS

Portfolio Management

NCTCOG currently has a “buy and hold” portfolio strategy. Maturity dates are matched with cash flow requirements and investments are purchased with the intent to be held until maturity. However, investments may be liquidated prior to maturity for the following reasons:

- An investment with declining credit may be liquidated early to minimize loss of principal.
- Cash flow needs of NCTCOG require that the investment be liquidated.
- Portfolio restructuring to accommodate NCTCOG needs and requirements or to address market conditions.

Investments [PFIA 2256.005(b)(4)(A)]

NCTCOG funds governed by this policy may be invested in the instruments described below, all of which are authorized by Chapter 2256 of the Government Code (Public Funds Investment Act). Investment of NCTCOG funds in any instrument or security not authorized for investment under the Act is prohibited. NCTCOG will not be required to liquidate an investment that becomes unauthorized subsequent to its purchase.

I. Authorized

1. Obligations of the United States of America, its agencies and instrumentalities.
2. Certificates of Deposit issued by a depository institution that has its main office or a branch office in Texas. The certificate of deposit must be guaranteed or insured by the Federal Deposit Insurance Corporation or its successor or the National Credit Union Share Insurance Fund or its successor and secured by obligations in a manner and amount as provided by law. In addition, certificates of deposit obtained through a depository institution that has its main office or a branch office in Texas and that contractually agrees to place the funds in federally insured depository institutions in accordance with the conditions prescribed in Section 2256.010(b) of the Public Funds Investment Act are authorized investments.
3. Fully collateralized direct repurchase agreements with a defined termination date secured by obligations of the United States or its agencies and instrumentalities. These shall be pledged to NCTCOG, held in NCTCOG’s name, and deposited at the time the investment is made with NCTCOG or with a third party selected and approved by NCTCOG. Repurchase agreements must be purchased through a primary government securities dealer, as defined by the Federal Reserve, or a financial institution doing business in Texas. A Master Repurchase Agreement must be signed by the bank/dealer prior to investment in a repurchase agreement. All

repurchase agreement transactions will be on a delivery vs. payment basis. Securities received for repurchase agreements must have a market value greater than or equal to 102 percent at the time funds are disbursed. (Sweep Accounts and/or Bond Proceeds)

4. Money Market Mutual funds that: 1) are registered and regulated by the Securities and Exchange Commission, 2) have a dollar weighted average stated maturity of 90 days or less, 3) seek to maintain a net asset value of \$1.00 per share, and 4) are rated AAA by at least one nationally recognized rating service.
5. Local government investment pools, which 1) meet the requirements of Chapter 2256.016 of the Public Funds Investment Act, 2) are rated no lower than AAA or an equivalent rating by at least one nationally recognized rating service, and 3) are authorized by resolution or ordinance by the Board. In addition, a local government investment pool created to function as a money market mutual fund must mark its portfolio to the market daily and, to the extent reasonably possible, stabilize at \$1.00 net asset value.

All prudent measures will be taken to liquidate an investment that is downgraded to less than the required minimum rating. (PFIA 2256.021)

II. Not Authorized [PFIA 2256.009(b)(1-4)]

Investments including interest-only or principal-only strips of obligations with underlying mortgage-backed security collateral, collateralized mortgage obligations with an inverse floating interest rate or a maturity date of over 10 years are strictly prohibited.

VII. INVESTMENT PARAMETERS

Maximum Maturities [PFIA 2256.005(b)(4)(B)]

The longer the maturity of investments, the greater their price volatility. Therefore, it is NCTCOG's policy to concentrate its investment portfolio in shorter-term securities in order to limit principal risk caused by changes in interest rates.

NCTCOG attempts to match its investments with anticipated cash flow requirements. NCTCOG will not directly invest in securities maturing more than two (2) years from the date of purchase; however, the above described obligations, certificates, or agreements may be collateralized using longer dated investments.

Because no secondary market exists for repurchase agreements, the maximum maturity shall be 120 days except in the case of a flexible repurchase agreement for bond proceeds. The maximum maturity for such an investment shall be determined in accordance with project cash flow projections and the requirements of the governing bond ordinance.

The composite portfolio will have a weighted average maturity of 365 days or less. This dollar-weighted average maturity will be calculated using the stated final maturity dates of each security. [PFIA 2256.005(b)(4)(C)]

Diversification [PFIA 2256.005(b)(3)]

NCTCOG recognizes that investment risks can result from issuer defaults, market price changes or various technical complications leading to temporary illiquidity. Risk is managed through portfolio diversification that shall be achieved by the following general guidelines:

- Limiting investments to avoid over concentration in investments from a specific issuer or business sector (excluding U.S. Treasury securities and certificates of deposit that are fully insured and collateralized in accordance with state and federal law),
- Limiting investment in investments that have higher credit risks (example: commercial paper),
- Investing in investments with varying maturities, and
- Continuously investing a portion of the portfolio in readily available funds such as local government investment pools (LGIPs), money market funds or overnight repurchase agreements to ensure that appropriate liquidity is maintained in order to meet ongoing obligations.

The following maximum limits, by instrument, are established for NCTCOG's portfolio:

1. U.S. Treasury Securities 100%
2. U.S. Agencies and Instrumentalities 85%
3. Certificates of Deposit 100%
4. Repurchase Agreements ⁽¹⁾ 20%
5. Money Market Mutual Funds ⁽²⁾ 50%
6. Authorized Pools 100%

⁽¹⁾ Excluding flexible repurchase agreements for bond proceeds investments

⁽²⁾ No single investment in any one money market mutual fund which exceeds 10% of the total assets of the money market mutual fund

VIII. SELECTION OF BANKS AND DEALERS

Depository [Chapter 105.017, Local Government Code]

At least every 5 years a Depository shall be selected through the NCTCOG's banking services procurement process, which shall include a formal request for proposal (RFP). The selection of a depository will be determined by competitive bid and evaluation of bids will be based on the following selection criteria:

- The ability to qualify as a depository for public funds in accordance with state law.
- The ability to provide requested information or financial statements for the periods specified.
- The ability to meet all requirements in the banking RFP.
- Complete response to all required items on the bid form
- Lowest net banking service cost, consistent with the ability to provide an appropriate level of service.
- The credit worthiness and financial stability of the bank.

Authorized Brokers/Dealers [PFIA 2256.025]

NCTCOG shall, at least annually, review, revise, and adopt a list of qualified brokers/dealers and financial institutions authorized to engage in securities transactions with NCTCOG. A designated investment committee or Executive Board will at least annually review and adopt the list of qualified brokers/dealers (see Attachment). Those firms that request to become qualified bidders for securities transactions will be required to provide a completed broker/dealer questionnaire that provides information regarding creditworthiness, experience and reputation and 2) a certification stating the firm has received, read and understood NCTCOG's investment policy and agree to comply with the policy. Authorized firms may include primary dealers or regional dealers that qualify under Securities & Exchange Commission Rule 15C3-1 (Uniform Net Capital Rule), and qualified depositories. All investment providers, including financial institutions, banks, money market mutual funds, and local government investment pools, must sign a certification acknowledging that the organization has received and reviewed NCTCOG's

investment policy and that reasonable procedures and controls have been implemented to preclude investment transactions that are not authorized by NCTCOG's policy. [PFIA 2256.005(k-l)]

Competitive Bids

It is the policy of NCTCOG to require competitive bidding for all individual security purchases and sales except for: a) transactions with money market mutual funds and local government investment pools and b) treasury and agency securities purchased at issue through an approved broker/dealer or financial institution.

Delivery vs. Payment [PFIA 2256.005(b)(4)(E)]

Securities shall be purchased using the **delivery vs. payment** method with the exception of investment pools and mutual funds. Funds will be released after notification that the purchased security has been received.

IX. CUSTODIAL CREDIT RISK MANAGEMENT

Safekeeping and Custodial Agreements

NCTCOG shall contract with a bank or banks for the safekeeping of securities either owned by NCTCOG as part of its investment portfolio or held as collateral to secure demand or time deposits. Securities owned by NCTCOG shall be held in NCTCOG's name as evidenced by safekeeping receipts of the institution holding the securities.

Collateral for deposits will be held by a third party custodian designated by NCTCOG and pledged to NCTCOG as evidenced by safekeeping receipts of the institution with which the collateral is deposited. Original safekeeping receipts shall be obtained. Collateral may be held by the depository bank's trust department, a Federal Reserve bank or branch of a Federal Reserve bank, a Federal Home Loan Bank, or a third party bank approved by NCTCOG.

Collateral Policy [PFCA 2257.023]

Consistent with the requirements of the Public Funds Collateral Act, it is the policy of NCTCOG to require full collateralization of all NCTCOG funds on deposit with a depository bank, other than investments. In order to anticipate market changes and provide a level of security for all funds, the collateralization level will be 105% of market value of principal and accrued interest on the deposits or investments less an amount insured by the FDIC. At its discretion, NCTCOG may require a higher level of collateralization for certain investment securities. Securities pledged as collateral shall be held by an independent third party with which NCTCOG has a current custodial agreement. The Deputy Executive Director is responsible for entering into collateralization agreements with third party custodians in compliance with this Policy. The agreements are to specify the acceptable investment securities for collateral, including provisions relating to possession of the collateral, the substitution or release of investment securities, ownership of securities, and the method of valuation of securities. A clearly marked evidence of ownership (safekeeping receipt) must be supplied to NCTCOG and retained. Collateral shall be reviewed at least monthly to assure that the market value of the pledged securities is adequate.

Collateral Defined

NCTCOG shall accept only the following types of collateral:

- Obligations of the United States or its agencies and instrumentalities
- Direct obligations of the state of Texas or its agencies and instrumentalities

- Collateralized mortgage obligations directly issued by a federal agency or instrumentality of the United States, the underlying security for which is guaranteed by an agency or instrumentality of the United States
- Obligations of states, agencies, counties, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized rating firm not less than A or its equivalent with a remaining maturity of ten (10) years or less
- A surety bond issued by an insurance company rated as to investment quality by a nationally recognized rating firm not less than A
- A letter of credit issued to NCTCOG by the Federal Home Loan Bank

Subject to Audit

All collateral shall be subject to inspection and audit by the NCTCOG or NCTCOG's independent auditors.

X. PERFORMANCE

Performance Standards

NCTCOG's investment portfolio will be managed in accordance with the parameters specified within this policy. The portfolio shall be designed with the objective of obtaining a rate of return through budgetary and economic cycles, commensurate with the investment risk constraints and the cash flow requirements of NCTCOG.

Performance Benchmark

It is the policy of NCTCOG to purchase investments with maturity dates coinciding with cash flow needs. Through this strategy, NCTCOG shall seek to optimize interest earnings utilizing allowable investments available on the market at that time. Market value will be calculated on a quarterly basis on all securities owned and compared to current book value. NCTCOG's portfolio shall be designed with the objective of regularly meeting or exceeding the average rate of return on U.S. Treasury Bills at a maturity level comparable to NCTCOG's weighted average maturity in days.

XI. REPORTING [PFIA 2256.023]

Methods

The Investment Officer shall prepare an investment report on a quarterly basis that summarizes investment strategies employed in the most recent quarter and describes the portfolio in terms of investment securities, maturities, and shall explain the total investment return for the quarter.

The quarterly investment report shall include a summary statement of investment activity prepared in compliance with generally accepted accounting principals. This summary will be prepared in a manner that will allow NCTCOG to ascertain whether investment activities during the reporting period have conformed to the Investment Policy. The report will be provided to the Board. The report will include the following:

- A listing of individual securities held at the end of the reporting period.
- Unrealized gains or losses resulting from appreciation or depreciation by listing the beginning and ending book and market value of securities for the period.
- Additions and changes to the market value during the period.
- Average weighted yield to maturity of portfolio as compared to applicable benchmark.
- Listing of investments by maturity date.
- Fully accrued interest for the reporting period

- The percentage of the total portfolio that each type of investment represents.
- Statement of compliance of NCTCOG's investment portfolio with state law and the investment strategy and policy approved by the Board.

An independent auditor will perform a formal annual review of the quarterly reports with the results reported to the governing body [PFIA 2256.023(d)].

Monitoring Market Value [PFIA 2256.005(b)(4)(D)]

Market value of all securities in the portfolio will be determined on a quarterly basis. These values will be obtained from a reputable and independent source and disclosed to the governing body quarterly in a written report.

XII. INVESTMENT POLICY ADOPTION [PFIA 2256.005(e)]

NCTCOG's investment policy shall be adopted by resolution of the Board. It is NCTCOG's intent to comply with state laws and regulations. NCTCOG's investment policy shall be subject to revisions consistent with changing laws, regulations, and needs of NCTCOG. The Board shall adopt a resolution stating that it has reviewed the policy and investment strategies at least annually, approving any changes or modifications.

Attachment

Authorized Brokers/Dealers

FTN Financial
Hilltop Securities
SAMCO Capital Markets, Inc.

Government Pools Authorized by Executive Board Resolution

(TEXPOOL) Texas Local Government Investment Pool
(TexSTAR) Texas Short Term Asset Reserve Program
(LOGIC) Local Government Investment Cooperative

Approved Providers of Public Funds Investment Act (PFIA) Training

University of North Texas
Government Finance Officers Association
Government Finance Officers Association of Texas
Government Treasurers Organization of Texas
Texas State University
Texas Municipal League



North Central Texas Council of Governments

Item 4

Exhibit: 2019-10-04-AA

Meeting Date: October 24, 2019

Submitted By: Molly Rendon
Director of Administration

Item Title: Resolution Authorizing Contracts for Temporary Staffing Services

The North Central Texas Council of Governments (NCTCOG) utilizes temporary staffing services in order to meet its business needs. These engagements have primarily been technology and accounting services related and utilized for defined and/or special projects. These services have become essential as the labor market tightens and the search for talent has become increasingly more difficult.

These services are available through the SHARE purchasing cooperative.

A draft resolution authorizing contracts with Abacus Service Corp., Ad-A-Staff, Apple One, Matrix Resources, ACARA (formerly Superior Group) and U.S. Technical Solutions for temporary staffing services in a cumulative amount not to exceed \$500,000 for the period through December 31, 2020, is attached for Executive Board consideration.

I will provide a brief presentation and be available to answer any questions prior to requesting Board approval.

RESOLUTION AUTHORIZING CONTRACTS FOR TEMPORARY STAFFING SERVICES

WHEREAS, the North Central Texas Council of Governments (NCTCOG) is a Texas political subdivision and non-profit corporation organized and operating under Texas Local Government Code Chapter 391 as the regional planning commission for the 16-county North Central Texas region; and,

WHEREAS, NCTCOG is a voluntary association of, by and for local governments established to assist in planning for common needs, cooperating for mutual benefit, and coordinating for sound regional development; and,

WHEREAS, NCTCOG utilizes temporary staffing services to meet its immediate business needs; and,

WHEREAS, the SHARE purchasing cooperative contract #2015-05 for Temporary Staffing Services is available to participating governmental entities for temporary staffing services; and,

WHEREAS, purchases from SHARE purchasing cooperative contracts are compliant with federal and state regulations regarding contracting and procurement.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

Section 1. Contracts between NCTCOG and Abacus Service Corp., Ad-A-Staff, Apple One, Matrix Resources, ACARA (formerly Superior Group) and U.S. Technical Solutions for temporary staffing services in an amount not to exceed \$500,000.00 for the period through December 31, 2020, be and are hereby approved.

Section 2. The Executive Director or designee is authorized to execute contractual agreements necessary to carry out the initiatives described herein, in the name of the North Central Texas Council of Governments.

Section 3. This resolution shall be in effect immediately upon its adoption.

J.D. Clark, President
North Central Texas Council of Governments
County Judge, Wise County

I hereby certify that the resolution was adopted by the Executive Board of the North Central Texas Council of Governments on October 24, 2019.

Curtistene McCowan, Secretary-Treasurer
North Central Texas Council of Governments
Mayor, City of DeSoto



North Central Texas Council of Governments

Item 5

Exhibit: 2019-10-05-TR

Meeting Date: October 24, 2019

Submitted By: Michael Morris, P.E.
Director of Transportation

Item Title: Resolution Authorizing the Receipt of Fiscal Year 2019 Federal Transit Administration Formula Funds

The North Central Texas Council of Governments (NCTCOG) is a designated recipient for Federal Transit Administration (FTA) funds for the following three programs: Urbanized Area Formula Program, Enhanced Mobility of Seniors and Individuals with Disabilities Program (Enhanced Mobility), and Bus and Bus Facilities Program. On March 15, 2019, the FTA published full Fiscal Year (FY) 2019 apportionments, which consisted of \$100.6 million for the region from these three programs. Consistent with the FY 2019–2022 Transportation Improvement Program approved by the Regional Transportation Council, approximately \$6,003,907 of the regional total is available for NCTCOG to utilize and execute necessary agreements with local public transit providers. Local and State funds from transit providers as well as Transportation Development Credits will be used as match for these federal funds.

NCTCOG will enter into a grant agreement with FTA for approximately \$4,309,475 in FY 2019 Urbanized Area Formula Program funds. NCTCOG will retain approximately \$898,792 of these funds for administration, general regional planning, and mobility management efforts on behalf of transit providers. The following transit providers will utilize the remainder of funds for service: City/County Transportation; Community Transit Services; Public Transit Services; Span, Inc.; and STAR Transit.

NCTCOG will enter into a grant agreement with FTA for approximately \$1,021,832 in FY 2019 Enhanced Mobility of Seniors and Individuals with Disabilities Program funds. NCTCOG will retain approximately \$386,760 for administration of the program, including the future award of funds through strategic partnerships yet to be determined. The following transit providers will utilize the funds for service: Public Transit Services; Span, Inc.; and STAR Transit. NCTCOG will seek Executive Board approval for future strategic partnership funds once projects have been identified.

NCTCOG will enter into a grant agreement with FTA for approximately \$672,600 in FY 2019 Bus and Bus Facilities Program funds. NCTCOG will retain approximately \$72,245 for administrative purposes and to purchase vehicles on behalf of transit providers.

A draft resolution authorizing receipt of these program funds and the execution of necessary agreements with transit providers is attached for Executive Board consideration. I will be available to answer any questions prior to requesting Board approval.

EH:tmb
Attachment

**RESOLUTION AUTHORIZING THE RECEIPT OF FISCAL YEAR 2019 FEDERAL TRANSIT
ADMINISTRATION FORMULA FUNDS**

WHEREAS, the North Central Texas Council of Governments (NCTCOG) is a Texas political subdivision and non-profit corporation organized and operating under Texas Local Government Code Chapter 391 as the regional planning commission for the 16-county North Central Texas region; and,

WHEREAS, NCTCOG is a voluntary association of, by and for local governments established to assist in planning for common needs, cooperating for mutual benefit, and coordinating for sound regional development; and,

WHEREAS, NCTCOG has been designated as the Metropolitan Planning Organization (MPO) for the Dallas-Fort Worth Metropolitan Area by the Governor of the State of Texas in accordance with federal law; and,

WHEREAS, the Regional Transportation Council (RTC), comprised primarily of local elected officials, is the regional transportation policy body associated with NCTCOG, and has been and continues to be a forum for cooperative decisions on transportation; and,

WHEREAS, NCTCOG is a Designated Recipient for Federal Transit Administration (FTA) Urbanized Area Formula Program, Enhanced Mobility of Seniors and Individuals with Disabilities Program, and Bus and Bus Facilities Program funds in the Dallas-Fort Worth-Arlington and Denton-Lewisville Urbanized Areas, as delegated by the Governor of the State of Texas; and,

WHEREAS, Subtask 3.05 of the Fiscal Year (FY) 2020 and FY 2021 Unified Planning Work Program provides for NCTCOG to serve as the federal grantee for local public transit providers operating service in the Dallas-Fort Worth-Arlington and Denton-Lewisville Urbanized Areas, with responsibilities of administration, grant management and compliance for FTA formula programs; and,

WHEREAS, Subtask 3.05 of the FY 2020 and FY 2021 Unified Planning Work Program supports the sustainability of transit services and solutions that move the region toward more comprehensive, coordinated, accessible, efficient, and effective public transit services; and,

WHEREAS, on July 11, 2019 and October 10, 2019, the RTC approved for inclusion into the FY 2019-FY 2022 Transportation Improvement Program/Statewide Transportation Improvement Program the FY 2019 FTA formula program funds to local public transit providers operating service in the Dallas-Fort Worth-Arlington and Denton-Lewisville Urbanized Areas for implementation of transit projects through coordination with NCTCOG, as the federal grantee; and,

WHEREAS, local public transit providers receiving funding will provide a local match utilizing local funds, State funds, or Transportation Development Credits.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

Section 1. The North Central Texas Council of Governments is authorized to submit grant applications to receive approximately \$4,309,475 in FY 2019 Urbanized Area Formula Program funds and administer the program consistent with State and federal regulations.

- Section 2.** The North Central Texas Council of Governments is authorized to submit grant applications to receive approximately \$1,021,832 in FY 2019 Enhanced Mobility of Seniors and Individuals with Disabilities Program funds and administer the program consistent with State and federal regulations.
- Section 3.** The North Central Texas Council of Governments is authorized to submit grant applications to receive approximately \$672,600 in FY 2019 Bus and Bus Facilities Program funds and administer the program consistent with State and federal regulations.
- Section 4.** These funds and projects will be incorporated into the applicable fiscal year budgets and Unified Planning Work Program (UPWP) as appropriate.
- Section 5.** Agreements or amendments between NCTCOG and subrecipients in the amount of federal funds, outlined in Attachment 1, be and are hereby approved.
- Section 6.** The Executive Director or designee is authorized to execute necessary agreements in the name of the North Central Texas Council of Governments to carry out the initiatives described herein.
- Section 7.** This motion shall be in effect immediately upon adoption.

J.D. Clark, President
North Central Texas Council of Governments
County Judge, Wise County

I hereby certify that this resolution was adopted by the Executive Board of the North Central Texas Council of Governments on October 24, 2019.

Curtistene McCowan, Secretary/Treasurer
North Central Texas Council of Governments
Mayor, City of DeSoto

FISCAL YEAR 2019 FEDERAL TRANSIT ADMINISTRATION FORMULA FUNDING

Urbanized Area Formula Program (Section 5307)

Dallas-Fort Worth-Arlington Urbanized Area				
Designated Recipient	Federal Funds¹	TDCs²	Local Funds	State Funds
North Central Texas Council of Governments	\$ 898,792	179,760	\$ -	\$ -
Subrecipient	Federal Funds	TDCs	Local Funds	State Funds
City/County Transportation	\$ 134,372	10,000	\$ 84,372	\$ -
Community Transit Services	\$ 102,017	9,000	\$ -	\$ 57,017
Public Transit Services	\$ 312,239	45,834	\$ 83,079	\$ -
Span, Inc.	\$ 414,111	25,000	\$ 289,111	\$ -
STAR Transit	\$ 2,447,944	217,200	\$ 1,361,944	\$ -
TOTAL	\$ 4,309,475	486,794	\$ 1,818,506	\$ 57,017

¹ Federal funds include both capital and operating projects, which have different match requirements

²Transportation Development Credits (TDCs) for "Strategic Awards to Small Transit Providers" are credits (not dollars) used to leverage federal funds in lieu of local cash match. The result is the capital portion of the project will be 100% federally funded

Enhanced Mobility of Seniors and Individuals with Disabilities Program (Section 5310)

Designated Recipient	Federal Funds	TDCs	Local Funds
North Central Texas Council of Governments ¹ : Dallas-Fort Worth-Arlington Urbanized Area	\$ 363,942	-	\$ -
North Central Texas Council of Governments ¹ : Denton-Lewisville Urbanized Area	\$ 22,818	-	\$ -
Subtotal	\$ 386,760	-	\$ -
Dallas-Fort Worth-Arlington Urbanized Area			
Subrecipient	Federal Funds	TDCs	Local Funds
Public Transit Services	\$ 60,000	12,000	\$ -
Span, Inc.	\$ 90,000	18,000	\$ -
STAR Transit	\$ 485,072	-	\$ 121,268
TOTAL	\$ 1,021,832	30,000	\$ 121,268

¹ Funding to be used for administration of Section 5310 program, which does not have a match requirement per *FTA Circular 9070.1G*

FISCAL YEAR 2019 FEDERAL TRANSIT ADMINISTRATION FORMULA FUNDING

Bus and Bus Facilities Program (Section 5339)

Dallas-Fort Worth-Arlington Urbanized Area			
Designated Recipient	Federal Funds¹	TDCs²	Local Funds
North Central Texas Council of Governments: Administrative	\$ 72,245	14,449	\$ -
North Central Texas Council of Governments	\$ 600,355	90,054	\$ -
TOTAL	\$ 672,600	104,503	\$ -

¹ Funding to be used towards the purchase of vehicles on behalf of NCTCOG subrecipients

² Bus and Bus Facilities funds (Section 5339) require a 20% match for administration but only a 15% match for the purchase of ADA-compliant vehicles

Grand Total

Program	Federal Funds	TDCs	Local Funds	State Funds
Urbanized Area Formula Program (Section 5307)	\$ 4,309,475	486,794	\$ 1,818,506	\$ 57,017
Enhanced Mobility of Seniors and Individuals with Disabilities Program (Section 5310)	\$ 1,021,832	30,000	\$ 121,268	\$ -
Bus and Bus Facilities Program (Section 5339)	\$ 672,600	104,503	\$ -	\$ -
TOTAL	\$ 6,003,907	621,297	\$ 1,939,774	\$ 57,017



North Central Texas Council of Governments

Item 6

Exhibit: 2019-10-06-TR

Meeting Date: October 24, 2019

Submitted By: Michael Morris, P.E.
Director of Transportation

Item Title: Resolution Approving Modifications to the FY2020 and FY2021 Unified Planning Work Program for Regional Transportation Planning

The Unified Planning Work Program for Regional Transportation Planning (UPWP) is required by federal and State transportation planning regulations and provides a summary of the transportation and related air quality planning tasks to be conducted by Metropolitan Planning Organization (MPO) staff. The FY2020 and FY2021 UPWP was approved by the Regional Transportation Council (RTC) in July 2019 and endorsed by the NCTCOG Executive Board in August 2019, and it identifies the activities to be carried out between October 1, 2019, and September 30, 2021.

Listed below are proposed modifications to the FY2020 and FY2021 UPWP. Included in these amendments are project updates and funding adjustments. The proposed modifications were posted on the NCTCOG website for public review and comment. No public comments were received. The Regional Transportation Council has approved the proposed modifications outlined below.

Transportation Planning Fund (TPF) Modifications

- 1.04 Computer System Applications and Data Management – Geographic Information Systems Coordination and Data Management (update text to combine the two separate projects into one project)

Other Funding Source Modifications

- 3.03 Air Quality Management and Operations – Fleet and Commercial Strategies (add \$30,500 RTC Local funds to support the purchase of a new low-emission vehicle and equipment for use by NCTCOG staff in the conduct of department business)
- 3.05 Transit Operations – Sustainability and Innovative Solutions for Transit (add \$1,000,000 Regional Toll Revenue funds to support implementation of the equitable transit fare program previously approved by the RTC; the source of funding has now been determined)

- 5.01 Regional Transportation Studies – High-Speed Passenger Technology (update text to reference the use of programmed RTC Local funds to support travel and associated costs for implementation of high- or higher-speed passenger technology, not just travel costs, and remove reference to the Dallas-Fort Worth corridor)
- 5.01 Regional Transportation Studies – DFW Airport Innovative Transportation Initiatives: Goods Movement, Rail Passenger Connections to the Trinity Railway Express and Hyperloop Feasibility (program \$250,000 RTC Local funds to support project work activities and update text to reflect funding source)
- 5.03 Land-use/Transportation Initiatives – Sustainable Development Initiatives (add \$6,000 RTC Local funds to support continued partnership on the IH 30 Ballpark Park-N-Ride lot for daily commuters)
- 5.03 Land-use/Transportation Initiatives – Bicycle and Pedestrian Studies and Engineering, City of Irving Bicycle Plan (program \$400,000 Surface Transportation Block Grant Program [STBG] funds, matched with Transportation Development Credits, to support project work activities and update text to reflect funding source and fiscal year timeframe to include FY2020)
- 5.11 Automated Vehicle Technology – Automated Vehicles: Development and Deployment (remove \$800,000 STBG funds and \$200,000 Texas Department of Transportation [TxDOT] funds for work activities associated with the Texas Connected Freight Corridor; TxDOT will serve as the lead agency for the project instead of the North Central Texas Council of Governments)
- 5.12 Red River Navigation System Feasibility Study (program \$500,000 RTC Local funds to support this project previously approved by the RTC and update text to reflect the identified funding source)

The following modifications have previously been approved by the NCTCOG Executive Board and are now being incorporated into the FY2020 and FY2021 Unified Planning Work Program:

Other Funding Source Modifications

- 2.02 Transportation Data Development – Data Supported Transportation Operations and Planning (D-STOP) in the Dallas-Fort Worth Area (carry over anticipated FY2019 funding balance of \$13,500 Regional Transportation Council [RTC] Local funds into FY2020 to support completion of the University Partnership Program project on Travel Modeling in an Era of Connected and Automated Transportation Systems: An Investigation in the Dallas-Fort Worth Area, Year III).

- 4.02 Coordination of Transportation and Environmental Planning Processes – Blue-Green-Grey Silo-Busting Initiatives (carry over anticipated FY2019 funding balance of \$8,300 RTC Local funds into FY2020 to support completion of the Green Bus Stop Design Guidelines)
- 5.05 Congestion Management Planning and Operations – Video and Analytics Evaluating Lost Capacity Due to Technology-Related Behaviors (carry over anticipated FY2019 funding balance of \$5,000 STBG funds, matched with Transportation Development Credits, into FY2020 to support completion of the University Partnership Program project)
- 5.08 Roadway and Railroad Safety – Transportation Safety Planning (carry over anticipated FY2019 funding balance of \$24,000 local funds into FY2020 to support driver safety public education, outreach, and information)
- 5.11 Automated Vehicle Technology – Automated Vehicles: Development and Deployment (carry over anticipated FY2019 funding balance of \$88,000 STBG funds and \$22,000 TxDOT funds into FY2020 to support the completion of subrecipient agreements related to the Waze 511DFW data sharing program)
- 5.11 Automated Vehicle Technology – Automated Vehicles: Development and Deployment (carry over anticipated FY2019 funding balance of \$122,500 Congestion Mitigation and Air Quality Improvement Program [CMAQ] funds, matched with Transportation Development Credits, into FY2020 to support the completion of subrecipient agreements related to the sharing of traffic signal data with partner agencies and other technologies, and update text to reflect the use of CMAQ funds)

A draft resolution authorizing approval of the proposed UPWP modifications is attached for Executive Board consideration. Staff will provide a brief presentation on this item and be available to answer any questions prior to requesting Board approval.

vpj
Attachment

RESOLUTION APPROVING MODIFICATIONS TO THE FY2020 AND FY2021 UNIFIED PLANNING WORK PROGRAM FOR REGIONAL TRANSPORTATION PLANNING

WHEREAS, the North Central Texas Council of Governments (NCTCOG) is a Texas political subdivision and non-profit corporation organized and operating under Texas Local Government Code Chapter 391 as the regional planning commission for the 16-county North Central Texas region; and,

WHEREAS, NCTCOG is a voluntary association of, by and for local governments established to assist in planning for common needs, cooperating for mutual benefit, and coordinating for sound regional development; and,

WHEREAS, NCTCOG has been designated as the Metropolitan Planning Organization (MPO) for the Dallas-Fort Worth Metropolitan Area by the Governor of the State of Texas in accordance with federal law; and,

WHEREAS, the Regional Transportation Council (RTC), comprised primarily of local elected officials, is the regional transportation policy body associated with NCTCOG, and has been and continues to be a forum for cooperative decisions on transportation; and,

WHEREAS, federal law, Fixing America's Surface Transportation (FAST) Act, assigns the MPO the responsibility for carrying out the metropolitan planning process, in cooperation with the State and operators of publicly owned transit services; and,

WHEREAS, the FAST Act assigns the MPO the responsibility for development of a Unified Planning Work Program which addresses the planning priorities of the metropolitan area and describes the metropolitan transportation and related air quality planning activities to be undertaken and capital purchases to be made to support the planning process; and,

WHEREAS, the FY2020 and FY2021 Unified Planning Work Program for Regional Transportation Planning was approved by the Regional Transportation Council in July 2019 and endorsed by the NCTCOG Executive Board in August 2019; and,

WHEREAS, updates to existing projects and funding adjustments have resulted in the need to amend the FY2020 and FY2021 Unified Planning Work Program; and

WHEREAS, the proposed modifications to the FY2020 and FY2021 Unified Planning Work Program for Regional Transportation Planning were approved by the Regional Transportation Council on October 10, 2019.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

- Section 1.** The Executive Board approves the proposed modifications to the FY2020 and FY2021 Unified Planning Work Program for Regional Transportation Planning.
- Section 2.** The appropriate fiscal year budgets are hereby amended to incorporate the resources associated with the approval of this resolution.
- Section 3.** This resolution shall be in effect immediately upon its adoption.

J.D. Clark, President
North Central Texas Council of Governments
County Judge, Wise County

I hereby certify that this resolution was adopted by the Executive Board of the North Central Texas Council of Governments on October 24, 2019.

Curtistene McCowan, Secretary/Treasurer
North Central Texas Council of Governments
Mayor, City of DeSoto



North Central Texas Council of Governments

Item 7

Exhibit: 2019-10-07-TR

Meeting Date: October 24, 2019

Submitted By: Michael Morris, P.E.
Director of Transportation

Item Title: Resolution Authorizing Grant Application to the Department of Defense for the
Joining Forces Compatible Use Implementation Grant

The Department of Defense (DOD) has funding available through the Office of Economic Adjustment for the Compatible Use Program (formerly known as the Joint Land Use Study Program). This program helps communities and military installations address compatible development and quality-of-life issues. The grant does not have a submittal deadline and applications are accepted year-round.

The North Central Texas Council of Governments (NCTCOG) proposes to submit one grant application under this funding opportunity. The application will fund work to implement the recommendations of a study, completed by NCTCOG in 2018, related to compatible development activities near Naval Air Station Fort Worth Joint Reserve Base, as well as Texas Military Department installations in North Texas. The implementation activities will include community/military coordination, local planning initiatives, economic development, infrastructure planning, and public information. NCTCOG will serve as the prime recipient. If awarded, NCTCOG will receive approximately \$500,000 in federal DOD funds. Regional Transportation Council Local funds in the amount of \$300,000 have also been identified to support work activities, a portion of which will be used as match for the DOD grant funds. Staff also requests authorization to enter into an agreement with the DOD if funds are awarded.

Proposed work performed under this grant supports Subtask 5.10 of the Unified Planning Work Program for Regional Transportation Planning.

A draft resolution authorizing submittal of the grant application to the DOD for the Compatible Use Program and for entering into an agreement with the DOD, if the funds are awarded, is attached for Executive Board consideration. I will provide a brief presentation on this item and will be available to answer any questions prior to requesting Board approval.

AW:kw
Attachment

**RESOLUTION AUTHORIZING GRANT APPLICATION TO THE DEPARTMENT OF DEFENSE
FOR THE JOINING FORCES COMPATIBLE USE IMPLEMENTATION GRANT**

WHEREAS, the North Central Texas Council of Governments (NCTCOG) is a Texas political subdivision and non-profit corporation organized and operating under Texas Local Government Code Chapter 391 as the regional planning commission for the 16-county North Central Texas region; and,

WHEREAS, NCTCOG is a voluntary association of, by and for local governments established to assist in planning for common needs, cooperating for mutual benefit, and coordinating for sound regional development; and,

WHEREAS, NCTCOG has been designated as the Metropolitan Planning Organization (MPO) for the Dallas-Fort Worth Metropolitan Area by the Governor of the State of Texas in accordance with federal law; and,

WHEREAS, the Regional Transportation Council (RTC), comprised primarily of local elected officials, is the regional transportation policy body associated with NCTCOG, and has been and continues to be a forum for cooperative decisions on transportation; and,

WHEREAS, the Dallas-Fort Worth region contains several military installations that significantly contribute to the regional economy; and,

WHEREAS, Subtask 5.10 of the Fiscal Year (FY) 2020 and FY2021 Unified Planning Work Program for Regional Transportation Planning includes regional military and community planning activities; and,

WHEREAS, NCTCOG conducted a Regional Joint Land Use Study for the Naval Air Station Fort Worth Joint Reserve Base and Texas Military Department facilities in North Texas that was completed in 2018; and,

WHEREAS, the Department of Defense Office of Economic Adjustment has authorized NCTCOG to apply for funding to implement the recommendations from the 2018 study.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

Section 1. NCTCOG is authorized to submit a grant application in the amount of \$500,000 to the Department of Defense to implement the recommendations of a study completed by NCTCOG in 2018 related to compatible development activities near Naval Air Station Fort Worth Joint Reserve Base, as well as Texas Military Department installations in North Texas.

Section 2. NCTCOG is authorized to receive approximately \$500,000 for the grant application from the Department of Defense.

Section 3. These funds shall be incorporated into the appropriate fiscal year budgets and Unified Planning Work Program.

Section 4. The Executive Director or designee is authorized to execute necessary agreements in the name of the North Central Texas Council of Governments to carry out the initiatives described herein.

Section 5. This resolution shall be in effect immediately upon its adoption.

J. D. Clark, President
North Central Texas Council of Governments
County Judge, Wise County

I hereby certify that this resolution was adopted by the Executive Board of the North Central Texas Council of Governments on October 24, 2019.

Curtistene McCowan, Secretary/Treasurer
North Central Texas Council of Governments
Mayor, City of DeSoto



North Central Texas Council of Governments

Item 8

Exhibit: 2019-10-08-TR

Meeting Date: October 24, 2019

Submitted By: Michael Morris, P.E.
Director of Transportation

Item Title: Resolution Authorizing an Agreement with the Red River Authority of Texas
for a Red River Navigation System Feasibility Study

NCTCOG will develop an agreement with the Red River Authority of Texas in an amount not to exceed \$450,000 in Regional Transportation Council (RTC) Local Funds to support a feasibility study/studies of a Red River Navigation System. The RTC approved \$500,000 to study the feasibility of a Red River Navigation System on April 11, 2019, contingent on Texas Legislature approval of the feasibility study. Texas Legislature House Bill 4166, authorizing the study, became effective on September 1, 2019. The Regional Transportation Council approved RTC Local funds for the study on October 10, 2019. \$50,000 in RTC Local Funds will support staff time.

The first phase of the study will address the feasibility of increasing navigation on the Red River between Texarkana and Denison; identify any additional financial partners; engage the US Army Corps of Engineers and appropriate state agencies and gauge their support of the study; compare infrastructure needs between the proposed system and the McClellan-Kerr Arkansas River Navigation System; and support the RTC's Policy Position P19-01, which facilitates federally recognized tribal nations' meaningful participation in the transportation planning process. NCTCOG staff will initiate communications with tribal nations and oversee the contract. Funding for subsequent phases will not be provided by NCTCOG/ RTC should the first phase identify the project as not feasible.

A draft resolution authorizing an agreement with the Red River Authority of Texas for a Red River Navigation System feasibility study is attached for Executive Board consideration. I will provide a brief presentation on this item and will be available to answer any questions prior to requesting Board approval.

KZ:cmg
Attachment

**RESOLUTION AUTHORIZING AN AGREEMENT WITH THE RED RIVER AUTHORITY OF TEXAS
FOR A RED RIVER NAVIGATION SYSTEM FEASIBILITY STUDY**

WHEREAS, the North Central Texas Council of Governments (NCTCOG) is a Texas political subdivision and non-profit corporation organized and operating under Texas Local Government Code Chapter 391 as the regional planning commission for the 16-county North Central Texas region; and,

WHEREAS, NCTCOG is a voluntary association of, by and for local governments established to assist in planning for common needs, cooperating for mutual benefit, and coordinating for sound regional development; and,

WHEREAS, NCTCOG has been designated as the Metropolitan Planning Organization (MPO) for the Dallas-Fort Worth Metropolitan Area by the Governor of Texas in accordance with federal law; and,

WHEREAS, the Regional Transportation Council (RTC), comprised primarily of local elected officials, is the regional transportation policy body associated with NCTCOG, and has been and continues to be a forum for cooperative decisions on transportation; and,

WHEREAS, Subtask 5.12 of the Fiscal Year (FY) 2020 and FY 2021 Unified Planning Work Program includes activities for the Red River Navigation System Feasibility Study; and,

WHEREAS, in October 2019, the RTC approved the use of RTC Local Funds for the Red River Navigation System Feasibility Study; and,

WHEREAS, the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code, provides authority for NCTCOG to enter into an agreement with the Red River Authority of Texas, for the provision of governmental functions and services of mutual interest; and,

WHEREAS, the Red River Authority of Texas has been recommended by the Texas Legislature to collect information and data for the Red River Navigation System Feasibility Study.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

Section 1. An Agreement between NCTCOG and the Red River Authority of Texas in an amount not to exceed \$450,000, be and is hereby approved.

Section 2. The Executive Director or designee is authorized to execute the agreement with the Red River Authority of Texas to carry out this initiative in the name of the North Central Texas Council of Governments.

Section 3. This resolution shall be in effect immediately upon its adoption.

J.D. Clark, President
North Central Texas Council of Governments
County Judge, Wise County

I hereby certify that this resolution was adopted by the Executive Board of the North Central Texas Council of Governments on October 24, 2019.

Curtistene McCowan, Secretary/Treasurer
North Central Texas Council of Governments
Mayor, City of DeSoto



North Central Texas Council of Governments

Item 9

Exhibit: 2019-10-09-TR

Meeting Date: October 24, 2019

Submitted By: Michael Morris, P.E.
Director of Transportation

Item Title: Resolution Authorizing Purchase of a Transportation Department Vehicle

The Transportation Department would like to purchase a 2020 Dodge Durango from Meador Chrysler Dodge Jeep Ram to assist with performing department business such as attendance at outreach events, meetings, and site visits, as well as roadway signage and roadway features monitoring. This new vehicle will replace the Department's 2008 Ford Escape and meets the equivalent engine emission standard. The Fiscal Year (FY) 2020 and FY2021 Unified Planning Work Program includes the purchase of a replacement vehicle. Regional Transportation Council local funds in an amount not to exceed \$40,000 have been allocated for this purchase.

A draft resolution authorizing this purchase is attached for Executive Board consideration. I will provide a brief presentation on this item and will be available to answer any questions prior to requesting Board approval.

JB:ch
Attachment

RESOLUTION AUTHORIZING PURCHASE OF A TRANSPORTATION DEPARTMENT VEHICLE

WHEREAS, the North Central Texas Council of Governments (NCTCOG) is a Texas political subdivision and non-profit corporation organized and operating under Texas Local Government Code Chapter 391 as the regional planning commission for the 16-county North Central Texas region; and,

WHEREAS, NCTCOG is a voluntary association of, by and for local governments established to assist in planning for common needs, cooperating for mutual benefit, and coordinating for sound regional development; and,

WHEREAS, NCTCOG has been designated as the Metropolitan Planning Organization (MPO) for the Dallas-Fort Worth Metropolitan Area by the Governor of the State of Texas in accordance with federal law; and,

WHEREAS, the Regional Transportation Council (RTC), comprised primarily of local elected officials, is the regional transportation policy body associated with NCTCOG, and has been and continues to be a forum for cooperative decisions on transportation; and,

WHEREAS, the Dallas-Fort Worth region is in nonattainment of the federal air quality standard for ozone and NCTCOG is actively involved in the development and implementation of the State Implementation Plan for air quality; and,

WHEREAS, on July 11, 2019, the RTC approved the Fiscal Year (FY) 2020 and FY2021 Unified Planning Work Program; and,

WHEREAS, Subtask 3.03 of the FY2020 and FY2021 Unified Planning Work Program for Regional Transportation Planning includes the purchase of a Transportation Department vehicle; and,

WHEREAS, NCTCOG has complied with applicable procedures for Agency procurement 2019-097.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

Section 1. NCTCOG is authorized to purchase a 2020 Dodge Durango from Meador Chrysler Dodge Jeep Ram in an amount not to exceed \$40,000 in RTC Local funds.

Section 2. The Executive Director or designee is authorized to execute necessary agreements in the name of the North Central Texas Council of Governments to carry out the initiatives described herein.

Section 3. This resolution shall be in effect immediately upon its adoption.

J.D. Clark, President
North Central Texas Council of Governments
County Judge, Wise County

I hereby certify that this resolution was adopted by the Executive Board of the North Central Texas Council of Governments on October 24, 2019.

Curtistene McCowan, Secretary/Treasurer
North Central Texas Council of Governments
Mayor, City of DeSoto



North Central Texas Council of Governments

Item 10

Exhibit: 2019-10-10-RIS

Meeting Date: October 24, 2019

Submitted By: Tim Barbee
Director of Research and Information Services/CIO NCTCOG

Item Title: Resolution Authorizing FY2020 Purchase of Computer Hardware, Software, and Information Technology Contract Services for the Agency

The Executive Board will be asked to approve the purchase of computer hardware, software and related services in the FY2020 Information Technology Infrastructure and Services Purchase Plan in the amount of \$3,200,000. The plan is based on information provided by each of the departments within NCTCOG concerning their Information Technology needs over the next 12 months.

The NCTCOG Enterprise Information Technology environment includes 22 locations, over 2,100 devices, over 350 applications and over 300 terabytes of electronic data. The plan includes the cost of maintenance and licensing for existing hardware, software and network infrastructure; the cost of new hardware and software to support departmental work programs, and the expected cost of contract services to support core components of the enterprise information technology environment. Additionally, there is an initiative to replace the server and storage environment to prepare for future initiatives, including disaster recovery and cloud services. Finally, there is an expected increase in cost for services procured through our Microsoft Enterprise Agreement due to staff growth and the addition of new services. A draft resolution authorizing the FY2020 purchase of computer hardware, software and information technology contracts services is enclosed for Executive Board consideration. Details of the purchase plan are included in Attachment A of the proposed resolution.

I will provide a brief presentation and be available to respond to any questions prior to requesting Board approval.

RESOLUTION AUTHORIZING FY2020 PURCHASE OF COMPUTER HARDWARE, SOFTWARE, AND INFORMATION TECHNOLOGY CONTRACT SERVICES FOR THE AGENCY

WHEREAS, the North Central Texas Council of Governments (NCTCOG) is a Texas political subdivision and non-profit corporation organized and operating under Texas Local Government Code Chapter 391 as the regional planning commission for the 16-county North Central Texas region; and,

WHEREAS, NCTCOG is a voluntary association of, by and for local governments established to assist in planning for common needs, cooperating for mutual benefit, and coordinating for sound regional development; and,

WHEREAS, NCTCOG staff annually reviews and determines anticipated computer hardware, software and information technology contract services needs for the upcoming year; and,

WHEREAS, the FY2020 purchase of Computer Hardware, Software and Information Technology Contract Services is contained in Attachment A and is recommended for Executive Board approval; and,

WHEREAS, the North Central Texas Council of Governments will comply with federal and state regulations regarding contracting and procurement.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

- Section 1.** The NCTCOG Executive Board authorizes the purchase of Computer Hardware, Software and Information Technology Contract Services, consistent with Attachment A, in an amount not to exceed \$3,200,000.
- Section 2.** The Executive Director or designee is authorized to execute contractual agreements consistent with Attachment A, in the name of the North Central Texas Council of Governments.
- Section 3.** The Executive Director or designee is authorized to increase contract amounts for purchase categories in Attachment A, up to a maximum twenty-five percent (25%), subject to the total authorized amount contained in Section 1.
- Section 4.** This resolution shall be in effect immediately upon its adoption.

J.D. Clark, President
North Central Texas Council of Governments
County Judge, Wise County

I hereby certify that the resolution was adopted by the Executive Board of the North Central Texas Council of Governments on October 24, 2019.

Curtistene McCowan, Secretary-Treasurer
North Central Texas Council of Governments
Mayor, City of DeSoto

Attachment A

New Board Authorizations			
#	Category	Vendor(s)	Costs
1	Client Devices and Accessories: Includes the cost of all printers, computers, tablets, monitors, accessories, and associated warranties. These items are typically purchased off a cooperative purchasing contract.	CDWG, Dell, SHI	\$ 690,000.00
2	Network, Internet, and Voice Equipment: Includes the cost of equipment for the network routers, switches, firewalls, access points, or enterprise voice and data network equipment and associated warranties and software maintenance. These items are typically purchased off a cooperative purchasing contract.	CDWG, DataVox, Dell, Flair Data Systems	\$ 400,000.00
3	Microsoft Software Support Services: Includes the cost of the Microsoft annual support contract, and consulting services on Microsoft technologies such as System Center Configuration Manager, SQL Database software, Office 365, and Windows Server. Typically purchased off a cooperative purchasing agreement.	Microsoft, Planet Technologies	\$ 150,000.00
4	Internet, Telephone, and Wide Area Network Services: Includes the cost for Internet and telephone connectivity for the Agency and the cost of the wide area network connectivity required for the Workforce Department. This will be purchased off a state contract.	CenturyLink, Spectrum, TxDIR	\$ 330,000.00
5	Data Center Equipment: Includes the cost of replacing, upgrading, or purchasing new data center server, storage, and data protection equipment, including any warranties or software maintenance contracts. These items are typically purchased off a cooperative purchasing contract.	DataVox, Unique Digital	\$ 450,000.00
6	Cabling and Wiring Services: Includes the cost of cabling services, installing patch panels and equipment racks, and testing existing cabling and wiring. This will be purchased off a cooperative purchasing contract.	NCS	\$ 100,000.00
7	Network and Telephony Consulting Services: Includes the cost of troubleshooting, configuring, and performing health assessments on network and telephony equipment. This will be purchased off a state contract.	CDWG, Flair Data Systems	\$ 100,000.00

New Board Authorizations			
#	Category	Vendor(s)	Costs
8	Financial System Software Maintenance: Includes the maintenance of Deltek financial software. This is a sole source purchase.	Deltek	\$ 150,000.00
9	Microsoft CRM Hosting: Includes the hosting of our CRM environment based on identified business needs of the departments in the Agency.	SHI	\$ 60,000.00
10	Laserfiche Software and Support: Includes the cost of Laserfiche software and maintenance, and the cost of support services for the Laserfiche software and related technologies. This will be purchased off a cooperative purchasing contract.	Docunav	\$ 200,000.00
11	Website Hosting and Support: Includes the cost of hosting and related services for the main NCTCOG website and other websites on the Kentico platform. This will be purchased off a cooperative purchasing contract.	22nd Century Technologies	\$ 90,000.00
12	Security Software, Services, and Hardware: Includes funds for the maintenance, support, and associated services for security hardware and software. Typically purchased off a cooperative purchasing agreement.	22nd Century Technologies, Check Point, Kudelski, McCormick Solutions Group, Secure Data Solutions	\$ 140,000.00
13	*Microsoft Enterprise Agreement Increase: Includes the cost of additional services, staff growth, and cost increases related to the Microsoft Enterprise Agreement. This will be purchased off the existing Microsoft Enterprise Agreement executed in FY2018.	SHI	\$ 340,000.00
TOTAL NEW AUTHORIZATIONS:			\$ 3,200,000.00

* This increases the FY2018 Microsoft Enterprise Agreement authorization to cover additional services and growth.



North Central Texas Council of Governments

Item 11

Exhibit: 2019-10-11-WF

Meeting Date: October 24, 2019

Submitted By: David Setzer
Director of Workforce Development

Item Title: Resolution Authorizing a Lease Extension for the McKinney Workforce Center

The North Central Texas Council of Governments (NCTCOG), in its capacity as the Administrative Entity and designated Grant Recipient/Fiscal Agent of the North Central Texas Workforce Development Board, currently operates a workforce center located at 1701 Eldorado Parkway, McKinney, Texas, 75069. The following information pertains to the current lease:

- Owned by McRoy Corporation
- Contains 8,891 square feet of space
- Original ninety-three (93) month lease term ended January 31, 2019; nine (9) month lease extension through October 31, 2019
- Includes a price per square foot equaling \$23.92 (net of utilities and janitorial).

In October 2018, the NCTCOG Executive Board authorized a seven (7) year lease for a new McKinney Workforce Center, owned by DFA, LTD, to be constructed at 301 W. Eldorado Parkway. The planned occupancy date for this newly constructed building was anticipated November 1, 2019.

Since that time, DFA, LTD., has communicated to NCTCOG staff that due to construction delays, the facility occupancy date has been moved to January 2020. As a result of the revised timeline, NCTCOG staff recommend a three (3) month lease extension for the currently facility with a new end date of January 31, 2020.

The rental rate for the three (3) month extension equals \$35.88 per square foot, a 150% increase compared to the previous rate. The landlord of the new facility, DFA, LTD., has agreed to reimburse 100% of the increase (\$11.96 per square foot) so that the NCTCOG lease rate remains constant.

A draft resolution authorizing a three (3) month lease extension with McRoy Corporation for the current McKinney workforce center is attached for Executive Board consideration.

I will provide a brief presentation on this item and be available to answer any questions prior to requesting Board approval.

RESOLUTION AUTHORIZING A LEASE EXTENSION FOR THE MCKINNEY WORKFORCE CENTER

WHEREAS, the North Central Texas Council of Governments (NCTCOG) is a Texas political subdivision and non-profit corporation organized and operating under Texas Local Government Code Chapter 391 as the regional planning commission for the 16-county North Central Texas region; and,

WHEREAS, NCTCOG is a voluntary association of, by and for local governments established to assist in planning for common needs, cooperating for mutual benefit, and coordinating for sound regional development; and,

WHEREAS, NCTCOG, in its capacity as the Administrative Entity and designated Grant Recipient/Fiscal Agent of the North Central Texas Workforce Development Board, currently has a lease agreement for 8,891 square feet of office space for the operation of a Workforce Center located at 1701 Eldorado Parkway in McKinney, Texas, expiring October 31, 2019; and,

WHEREAS, in October 2018 the NCTCOG Executive Board authorized a seven (7) year lease for a new McKinney Workforce Center to be located at 301 W. Eldorado Parkway which was originally scheduled for completion by November 1, 2019; and,

WHEREAS, as a result of construction delays and revised occupancy date of January 2020, NCTCOG staff recommends a three (3) month lease extension for the current workforce facility; and,

WHEREAS, the three (3) month lease rate proposed by the current landlord equals \$35.88 per square foot, a 150% increase as compared to the \$23.92 current rent rate; and,

WHEREAS, the landlord for the new McKinney facility, DFA, LTD, has agreed to reimburse NCTCOG for the rent increase (\$11.96 per square foot) resulting in NCTCOG's lease rate remaining constant.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

Section 1. The NCTCOG Executive Board authorizes a three (3) month lease extension for the current McKinney workforce center with McRoy Corporation at a price of \$35.88 per square foot (excluding utilities and janitorial).

Section 2. The Executive Director or designee is authorized to execute a contract with McRoy Corporation in the name of the North Central Texas Council of Governments.

Section 3. This resolution shall be in effect immediately upon its adoption.

J.D. Clark, President
North Central Texas Council of Governments
County Judge, Wise County

I hereby certify that this resolution was adopted by the Executive Board of the North Central Texas Council of Governments on October 24, 2019.

Curtistene McCowan, Secretary-Treasurer
North Central Texas Council of Governments
Mayor, City of DeSoto



North Central Texas Council of Governments

Item 12

Exhibit: 2019-10-12-WF

Meeting Date: October 24, 2019

Submitted By: David Setzer
Director of Workforce Development

Item Title: Resolution Authorizing an Increase to the Contract to ResCare Workforce Services for Delivery of Child Care Services

The North Central Texas Council of Governments (NCTCOG), in its capacity as Administrative Entity and designated Grant Recipient/Fiscal Agent of the North Central Texas Workforce Development Board (Workforce Board), has a contract with ResCare Workforce Services for the delivery of child care services. The Executive Board authorized the contract in May 2015 for a maximum five (5) year term and in an amount not to exceed \$40 million annually.

NCTCOG staff currently projects that the final FY 2020 child care expenditures related to the ResCare Workforce Services contract will exceed the \$40 million limitation primarily due to additional new funding as compared to FY 2016, the initial year the contract was approved by the NCTCOG and the projected annual expenditure amount was established.

Due to the increase in the available funds, NCTCOG staff propose an increase to the ResCare Workforce Services FY 2020 contract for the delivery of child care services in an amount of \$20.0 million, resulting in a modified total of \$60.0 million.

A draft resolution increasing the FY2020 contract amount for child care services with ResCare is attached for Executive Board consideration. I will provide a brief presentation on this item and be available to answer any questions prior to requesting Board approval.

RESOLUTION AUTHORIZING AN INCREASE TO THE CONTRACT TO RESCARE WORKFORCE SERVICES FOR DELIVERY OF CHILD CARE SERVICES

WHEREAS, the North Central Texas Council of Governments (NCTCOG) is a Texas political subdivision and non-profit corporation organized and operating under Texas Local Government Code Chapter 391 as the regional planning commission for the 16-county North Central Texas region; and,

WHEREAS, NCTCOG is a voluntary association of, by and for local governments established to assist in planning for common needs, cooperating for mutual benefit, and coordinating for sound regional development; and,

WHEREAS, NCTCOG serves as the Administrative Entity and designated Grant Recipient/Fiscal Agent of the North Central Texas Workforce Development Board (Workforce Board); and,

WHEREAS, the NCTCOG Executive Board authorized a contract with ResCare Workforce Services in May 2015 for the delivery of child care services for a maximum five (5) year term and in an amount not to exceed \$40 million annually; and,

WHEREAS, due to additional child care funds, staff recommends increasing the FY 2020 contract with ResCare Workforce Services for the delivery of child care services to an amount not to exceed \$60 million.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

Section 1. The contract for childcare services between NCTCOG and ResCare Workforce Services, ending September 30, 2020, be increased by \$20.0 million resulting in a revised not to exceed amount of \$60.0 million.

Section 2. The Executive Director or designee is authorized to execute agreements necessary to carry out this program, in the name of the North Central Texas Council of Governments.

Section 3. This resolution shall be in effect immediately upon its adoption.

J.D. Clark, President
North Central Texas Council of Governments
County Judge, Wise County

I hereby certify that this resolution was adopted by the Executive Board of the North Central Texas Council of Governments on October 24, 2019.

Curtistene McCowan, Secretary-Treasurer
North Central Texas Council of Governments
Mayor, City of DeSoto



North Central Texas Council of Governments

Item 13

Exhibit: 2019-10-13-AG

Meeting Date: October 24, 2019

Submitted By: Doni Green
Director of Aging Programs

Item Title: Resolution Authorizing Intergovernmental Cooperative Purchasing Agreement and Contract for Medical Equipment, Supplies and Services

The North Central Texas Council of Governments (NCTCOG), in its role as the designated Area Agency on Aging, purchases medical equipment and supplies on behalf of older persons who have low incomes, are frail, have limited family support, and/or are at risk of premature nursing home placement.

In October 2018, the NCTCOG Executive Board authorized an agreement, utilizing a cooperative purchasing program, with McKesson Medical-Surgical Minnesota Supply, Inc ("McKesson"). The agreement with McKesson expires November 20, 2019.

The previous cooperative purchasing program utilized to access McKesson has been acquired by OMNIA Partners, which has requested NCTCOG enter into an updated Master Intergovernmental Cooperative Purchasing Agreement. Based on competitive pricing, range of product offerings, and excellent customer service, staff recommends utilizing the OMNIA Partners cooperative to enter into a new agreement with McKesson for the period of November 21, 2019 through December 31, 2020.

A draft resolution authorizing a Master Intergovernmental Cooperative Purchasing Agreement with OMNIA Partners, as well as a contract with McKesson for medical equipment, supplies and services in an amount not to exceed \$100,000, is attached for Executive Board consideration.

I will be available to answer any questions prior to requesting Board approval.

Thank you.

RESOLUTION AUTHORIZING INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT AND CONTRACT FOR MEDICAL EQUIPMENT, SUPPLIES AND SERVICES

WHEREAS, the North Central Texas Council of Governments (NCTCOG) is a Texas political subdivision and non-profit corporation organized and operating under Texas Local Government Code Chapter 391 as the regional planning commission for the 16-county North Central Texas region; and,

WHEREAS, NCTCOG is a voluntary association of, by and for local governments established to assist in planning for common needs, cooperating for mutual benefit, and coordinating for sound regional development; and,

WHEREAS, the North Central Texas Council of Governments (NCTCOG) has been designated as the Area Agency on Aging (AAA) for State Planning Region 4A by the Texas Health and Human Services Commission (HHSC); and,

WHEREAS, NCTCOG, in its capacity as AAA, receives funding from HHSC to purchase medical equipment and supplies on behalf of older persons who are at risk of premature institutionalization; and,

WHEREAS, NCTCOG desires to enter into a Master Intergovernmental Cooperative Purchasing Agreement with OMNIA Partners to access contracts for goods and services; and,

WHEREAS, McKesson Medical-Surgical Minnesota Supply, Inc., an authorized supplier to OMNIA Partners participant Premier Healthcare Alliance, LP, has proven ability to meet NCTCOG's medical equipment and supply needs at a competitive cost; and,

WHEREAS, NCTCOG has complied with federal and state regulations regarding contract and procurement proceedings for this procurement #2019-005.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

Section 1. A Master Intergovernmental Cooperative Purchasing Agreement between NCTCOG and OMNIA Partners purchasing cooperative, be and is hereby approved.

Section 2. A contract between NCTCOG and McKesson Medical-Surgical Minnesota Supply, Inc., for medical equipment, supplies and services, for a term ending December 31, 2020 and, in an amount not to exceed \$100,000, be and is hereby approved.

Section 3. The Executive Director or designee is authorized to execute agreements necessary to carry out this program in the name of the North Central Texas Council of Governments.

Section 4. This resolution shall be in effect immediately upon its adoption.

J.D. Clark, President
North Central Texas Council of Governments
County Judge, Wise County

I hereby certify that the resolution was adopted by the Executive Board of the North Central Texas Council of Governments on October 24, 2019.

Curtistene McCowan, Secretary-Treasurer
North Central Texas Council of Governments
Mayor, City of DeSoto



North Central Texas Council of Governments

Item 14

Exhibit: 2019-10-14-AG

Meeting Date: October 24, 2019

Submitted By: Doni Green
Director of Aging Programs

Item Title: Resolution Authorizing Supplemental Allocations for Title III Nutrition and Transportation Services

The North Central Texas Council of Governments, in its capacity as the designated Area Agency on Aging (AAA) for State Planning Region 4A, receives federal and state funding through Title III of the Older Americans Act to provide nutrition and transportation services to older persons who live in its 14-county service region, consisting of those counties surrounding—but not including—Dallas and Tarrant.

In August 2017 the Executive Board authorized awarding approximately \$3,616,656 per annum to nutrition and transportation subrecipients that had been selected through a competitive procurement process. All allocations were based on estimated funding figures provided by the Texas Health and Human Services Commission (HHSC) and subject to future amendments resulting from subsequent increases or decreases in state and federal allocations.

During Fiscal Year 2019 NCTCOG received a slight increase in funding for Title III-C nutrition services and a significant increase in prior year carryover funds for Title III-B supportive services. Staff recommends allocating an additional \$137,500 in Title III-B funds to transportation services, increasing that program's budget by 50% (from \$275,000 to \$412,500). In addition, \$155,070 in Title III-C funds are available for supplemental allocation based on grant increases and the inability of some providers to fully expend previously awarded funds. To make timely and effective use of these funds, these supplemental allocations are to nutrition and transportation subrecipients which exceeded the terms of their performance-based agreements and rendered eligible services that were not reimbursed by other federal, state, or local grants.

A draft resolution authorizing supplemental allocations totaling \$292,570 for Fiscal Year 2019 nutrition and transportation services is attached for Executive Board consideration.

I will be available October 24th, should you or the Board have questions.

Thank you.

RESOLUTION AUTHORIZING SUPPLEMENTAL ALLOCATIONS FOR TITLE III NUTRITION AND TRANSPORTATION SERVICES

WHEREAS, the North Central Texas Council of Governments (NCTCOG) is a Texas political subdivision and non-profit corporation organized and operating under Texas Local Government Code Chapter 391 as the regional planning commission for the 16-county North Central Texas region; and,

WHEREAS, NCTCOG is a voluntary association of, by and for local governments established to assist in planning for common needs, cooperating for mutual benefit, and coordinating for sound regional development; and,

WHEREAS, NCTCOG has been designated as the Area Agency on Aging for State Planning Region 4A by the Texas Health and Human Services Commission (HHSC); and,

WHEREAS, NCTCOG is entrusted to allocate federal and state funds distributed through HHSC for transportation and nutrition services; and,

WHEREAS, NCTCOG received a \$86,463 increase in Fiscal Year 2019 Title III-C funding for congregate meals from HHSC which, combined with some congregate meal providers not fully expending their awarded funds, resulted in a total of \$155,070 available for supplemental allocation; and,

WHEREAS, staff recommends dedicating a greater percentage of Fiscal Year 2019 Title III-B funds to transportation, thus increasing the allocations by \$137,500.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

Section 1. The NCTCOG Executive Board authorizes \$292,570 in supplemental allocations to its ten (10) existing nutrition and transportation subrecipients in the following amounts:

Collin County Committee on Aging	
• Transportation:	\$ 898.24
• Congregate Meals:	\$40,055.55
S.P.A.N. (Denton County)	
• Congregate Meals:	\$10,006.73
Hood County Committee on Aging	
• Transportation:	\$11,348.16
• Congregate Meals:	\$ 343.48
Senior Center Resources and Public Transit	
• Transportation:	\$89,906.04
• Congregate Meals:	\$ 7,064.25
Senior Connect (Kaufman and Navarro Counties)	
• Transportation:	\$17,914.16
• Congregate Meals:	\$36,506.25
Meals on Wheels of Palo Pinto County	
• Congregate Meals:	\$ 5,821.99
Meals on Wheels Senior Services (Rockwall County)	
• Congregate Meals:	\$33,134.42
Somervell County Committee on Aging	
• Transportation:	\$15,668.56
• Congregate Meals:	\$16,166.48
Sixty & Better	
• Congregate Meals:	\$ 5,970.84
Public Transit Services	
• Transportation:	\$ 1,764.85

Section 2. The Executive Director or designee is authorized to execute agreements necessary to carry out the initiatives described herein, in the name of the North Central Texas Council of Governments.

Section 3. This resolution shall be in effect immediately upon its adoption.

J.D. Clark, President
North Central Texas Council of Governments
County Judge, Wise County

I hereby certify that the resolution was adopted by the Executive Board of the North Central Texas Council of Governments on October 24, 2019.

Curtistene McGowan, Secretary-Treasurer
North Central Texas Council of Governments
Mayor, City of DeSoto



North Central Texas Council of Governments

Item 15

Exhibit: 2019-10-15-TR

Meeting Date: October 24, 2019

Submitted By: Michael Morris, P.E.
Director of Transportation

Molly Rendon
Director of Administration

Item Title: Status Report on Fiscal Year 2019 Program Reviews and Audits Conducted
by Transportation Funding Partners

During Fiscal Year 2019 the Transportation Department underwent two major reviews by funding partners. The Federal Transit Administration (FTA) conducted the 2019 Triennial Review, and the Texas Department of Transportation (TxDOT) conducted a compliance audit. These evaluations assessed NCTCOG project management, financial procedures, and adherence with federal and State guidelines, including procurement standards and oversight of subrecipients. The Agency Administration Department provided significant assistance to ensure responsiveness to audit requests.

The FTA Triennial Review was conducted per a standard recurring schedule. As a Designated Recipient of FTA funding in the Dallas-Fort Worth-Arlington and Denton-Lewisville Urbanized Areas, NCTCOG is subject to this review every three years. FTA staff and their contractors conducted NCTCOG's 2019 Triennial Review through a desk review and on-site visit, evaluating 21 compliance areas. The assessment also reviewed NCTCOG's oversight of approximately 19 subrecipients, including site visits with two subrecipients, SPAN, Inc., and the City of Arlington.

FTA issued a final report on August 27, 2019 (Attachment 1) identifying four areas with deficiencies. The deficiency in the area of Technical Capacity – Award Management was resolved prior to issuance of the Final Report. The other three deficiencies identified in the areas of Satisfactory Continuing Control, Disadvantaged Business Enterprise, and Americans with Disabilities Act, will be addressed by staff and documented in a corrective action plan to be submitted to FTA by October 24, 2019.

The TxDOT Compliance Audit was conducted by TxDOT's External Audit Division, to assess NCTCOG's management of TxDOT funds and compliance with agreement terms. This is a standard, yet comprehensive review, rotated among public agencies. Overall, TxDOT concluded that NCTCOG has implemented necessary financial controls to adequately manage TxDOT funds. A Final Report was issued on August 21, 2019 (Attachment 2). TxDOT identified six areas with opportunity for improvement and offered recommendations. These recommendations included improved administration of Regional Toll Revenue funds, documentation of subrecipient monitoring procedures, timely submittal of expenditures for

reimbursement, documentation and reconciliation of allocations, consistent and timely suspension and debarment verification for procurements, and additional training for Transportation Department managers.

Staff responded to the recommendations on September 30, 2019, with specific actions, process updates, and commitments for continued improvement. Continued coordination on these compliance items is expected to be coordinated with the TxDOT Districts.

Final Reports from the reviews are attached. I will provide a brief presentation of this item and will be available to answer any questions.

DD:
Attachments



**U.S. Department
of Transportation
Federal Transit
Administration**

REGION VI
Arkansas, Louisiana, New
Mexico, Oklahoma, Texas

Fritz Lantham Federal Building
819 Taylor Street, Room 14A02
Fort Worth, TX 76102
817-978-0550
817-978-0575 (fax)

2019-10-15-TR
Attachment 1

August 27, 2019

Mr. Mike Eastland
Executive Director
North Central Texas Council of Governments
606 Six Flags Drive, Suite 200
Arlington, TX 76011

RECEIVED

SEP 04 2019

TRANSPORTATION

Re: Federal Transit Administration (FTA) Fiscal Year 2019 Triennial Review – Final Report

Dear Mr. Eastland:

I am pleased to provide you with a copy of this FTA report as required by 49 U.S.C. Chapter 53 and other Federal requirements. The enclosed final report documents the FTA's Triennial Review of the North Central Texas Council of Governments (NCTCOG) in Arlington, Texas. Although not an audit, the Triennial Review is the FTA's assessment of NCTCOG's compliance with Federal requirements, determined by examining a sample of award management and program implementation practices. As such, the Triennial Review is not intended as, nor does it constitute, a comprehensive and final review of compliance with award requirements.

The Triennial Review focused on NCTCOG's compliance in 21 areas. No deficiencies were found with the FTA requirements in 15 areas. One (1) area was not applicable. Deficiencies were found in four areas: Technical Capacity – Award Management, Satisfactory Continuing Control, Disadvantaged Business Enterprise (DBE), and Americans with Disabilities Act (ADA) – General. NCTCOG had no repeat deficiencies from the 2016 Triennial Review.

Subsequent to the site visit, documentation was submitted to close one deficiency in Technical Capacity – Award Management.

Please note that two areas of regulations and guidance will apply to your next Triennial Review. These areas are described below.

Regulations and Guidance

Public Transportation Agency Safety Plan (PTASP) Final Rule

On July 19, 2018, FTA published the PTASP Final Rule. The PTASP Final Rule, which takes effect July 19, 2019, requires all operators of public transportation systems that are recipients and subrecipients of FTA's Urbanized Area Formula Grants to develop safety plans that include the processes and procedures to implement Safety Management Systems (SMS). FTA is deferring applicability of this requirement for operators that only receive funds through FTA's Enhanced Mobility of Seniors and Individuals with Disabilities Formula Program (Section 5310) and/or Rural Area Formula Program (Section 5311).

As part of the Annual Certifications and Assurances, transit operators must certify they have a safety plan in place for meeting the requirements of the rule by July 20, 2020. All plans will be reviewed starting October 1, 2021 through FTA's oversight process. For guidance and updates to assist in the preparation and implementation of the PTASP Final Rule, please visit FTA's website at www.transit.dot.gov/PTASP.

Random Drug Testing Rate Increase

On October 17, 2018, FTA published a dear colleague letter "2019 Random Drug Testing Increase". FTA, as mandated by its drug and alcohol regulation for random testing, at 49 C.F.R. 655.45, will increase the minimum rate of random drug testing from 25 percent to 50 percent of covered employees for employers subject to FTA's drug and alcohol regulation, which takes effect January 1, 2019. This increased random drug testing rate results from a recent uptick in the proportion of violations identified through random drug testing.

The 50 percent random drug testing rate will apply to entities receiving Federal assistance under 49 U.S.C. 5307, 5309, 5311 or 5339, including recipients, subrecipients, and safety-sensitive contractors. The required minimum rate for random alcohol testing is unaffected and will remain at 10 percent for calendar year 2019.

Please submit your corrective actions to Ms. Phyllis DeGarmo at Phyllis.DeGarmo@dot.gov and Mr. Dan Peschell no later than the due dates identified in the report. In addition, please submit the corrective actions in the Disadvantaged Business Enterprise (DBE), and the Americans with Disabilities Act (ADA) – General areas to the Region 6 Civil Rights Officer, Mr. Chris MacNeith by email at Christopher.MacNeith@dot.gov.

Thank you for your cooperation and assistance during this Triennial Review. If you need any technical assistance or have any questions, please do not hesitate to contact Mr. Daniel Peschell, FTA Program Manager, at 817-978-0563 or by email at Daniel.Peschell@dot.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Robert C. Patrick", is written over the word "Sincerely,".

Robert C. Patrick
Regional Administrator

FINAL REPORT

**FISCAL YEAR 2019
TRIENNIAL REVIEW
of**

**North Central Texas Council of Governments
NCTCOG
Arlington, TX
ID: 1588**

Performed for:

**U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL TRANSIT ADMINISTRATION
REGION 6**

Prepared By:

Calyptus Consulting Group, Inc.

**Scoping Meeting Date: May 28-30, 2019
Site Visit Date: June 26-27, 2019
Final Report Date: August 26, 2019**

Table of Contents

I. Executive Summary	1
II. Review Background and Process	2
1. Background	2
2. Process	2
3. Metrics	3
III. Recipient Description	4
1. Organization	4
2. Services	4
3. Award and Project Activity	4
IV. Results of the Review	8
1. Legal	8
2. Financial Management and Capacity	8
3. Technical Capacity – Award Management	9
4. Technical Capacity – Program Management & Subrecipient Oversight	11
5. Technical Capacity – Project Management	11
6. Transit Asset Management	11
7. Satisfactory Continuing Control	12
8. Maintenance	12
9. Procurement	13
10. Disadvantaged Business Enterprise (DBE)	13
11. Title VI	17
12. Americans with Disabilities Act (ADA)- General	17
13. ADA – Complementary Paratransit	19
14. Equal Employment Opportunity	19
15. School Bus	19
16. Charter Bus	20
17. Drug Free Workplace Act	20
18. Drug and Alcohol Program	20
19. Section 5307 Program Requirements	20

20. Section 5310 Program Requirements	21
21. Section 5311 Program Requirements	21
V. Summary of Findings.....	22
VI. Attendees.....	25
VII. Appendices	27

I. Executive Summary

This report documents the Federal Transit Administration's (FTA) Triennial Review of the North Central Texas Council of Governments (NCTCOG) of Arlington, Texas. FTA wants to ensure that awards are administered in accordance with the requirements of Federal public transportation law 49 U.S.C. Chapter 53. The review was performed by Calyptus Consulting Group, Inc. During the site visit, administrative and statutory requirements were discussed and documents were reviewed. NCTCOG's administrative facilities and subrecipient facilities were toured to obtain an overview of activities related to FTA-funded projects.

The Triennial Review focused on NCTCOG's compliance in 21 areas. Deficiencies were found in the areas listed below:

Review Area	Deficiencies	
	Code	Description
Technical Capacity – Award Management (TC-AM)	TC-AM3-1	MPRs lack required information
	TC-AM4-1	Annual Status reports missing or lacking required information
Satisfactory Continuing Control (SCC)	SCC8-4	No evidence of physical inventory or reconciliation
Disadvantaged Business Enterprise (DBE)	DBE5-1	DBE uniform reports contain inaccuracies and/or are missing required information
	DBE6-1	DBE goal achievement analysis and corrective action plan not completed timely
	DBE12-4	Recipient not ensuring prompt payment
Americans with Disabilities Act (ADA) – General	ADA-GEN14-1	Insufficient oversight of subrecipients for ADA requirements

II. Review Background and Process

1. Background

The United States Code, Chapter 53 of Title 49 (49 U.S.C. 5307(f) (2)) requires that “At least once every 3 years, the Secretary shall review and evaluate completely the performance of a recipient in carrying out the recipient’s program, specifically referring to compliance with statutory and administrative requirements...” This Triennial Review was performed in accordance with FTA procedures (published in FTA Order 9010.1B, April 5, 1993).

The Triennial Review includes a review of the recipient’s compliance in 21 areas. The basic requirements for each of these areas are summarized in Section IV.

This report presents the findings from the Triennial Review of NCTCOG. The review concentrated on procedures and practices employed during the past three years; however, coverage was extended to earlier periods as needed to assess the policies in place and the management of award funds. The specific documents reviewed and referenced in this report are available at the FTA’s regional office or the recipient’s office.

2. Process

The Triennial Review process includes a pre-review assessment, a review scoping meeting with the FTA regional office, and an on-site visit to the recipient’s location. The review scoping meeting was conducted with the Region 6 Office on May 28-30, 2019. Necessary files retained by the regional office were sent to the reviewer electronically. A recipient information request was sent to NCTCOG advising it of the site visit and indicating information that would be needed and issues that would be discussed. The site visit to NCTCOG occurred on June 26-27, 2019.

The onsite portion of the review began with an entrance conference, at which the purpose of the Triennial Review and the review process were discussed. The remaining time was spent discussing administrative and statutory requirements and reviewing documents. The reviewer visited NCTCOG’s administrative facility to obtain an overview of activities related to FTA-funded projects. The reviewer also performed site visits of two subrecipients, SPAN Transit, Inc. and the City of Arlington, for which NCTCOG had oversight responsibilities during the review period.

Upon completion of the review, FTA and the reviewer provided a summary of preliminary findings to NCTCOG at an exit conference. Section VI of this report lists the individuals participating in the review.

3. Metrics

The metrics used to evaluate whether a recipient is meeting the requirements for each of the areas reviewed are:

- *Not Deficient*: An area is considered not deficient if, during the review, no findings were noted with the recipient's implementation of the requirements.
- *Deficient*: An area is considered deficient if any of the requirements within the area reviewed were not met.
- *Not Applicable*: An area can be deemed not applicable if, after an initial assessment, the recipient does not conduct activities for which the requirements of the respective area would be applicable.

III. Recipient Description

1. Organization

The North Central Texas Council of Governments (NCTCOG) has been a designated recipient of FTA funds since 2005. The NCTCOG is a voluntary association of, by, and for local governments; and was established to assist local governments in planning for common needs, cooperating for sound regional development. NCTCOG's purpose is to strengthen both the individual and collective power of local governments and to help them recognize regional opportunities, eliminate unnecessary duplication, and make joint decisions.

NCTCOG serves a 16-county region of North Central Texas, which is centered on the two urban centers of Dallas and Fort Worth. The population of the region is approximately 7 million persons. NCTCOG has over 236 member governments including 16 counties, numerous cities, school districts, and special districts.

NCTCOG's Executive Board, composed of 17 locally elected officials, and one ex-officio non-voting member of the legislature, is the policy-making body for all activities undertaken by the Council of Governments, including program activities and decisions, regional plans, and fiscal and budgetary policies. The Board is supported by technical, study, and policy development committees and a professional staff headed by the Executive Director. The Executive Board is the fiduciary agent to the MPO, while the Regional Transportation Council (RTC) is the policy body to the MPO.

2. Services

NCTCOG does not operate transit service. However, the agency provides funding, manages procurement activities, and performs oversight for subrecipients that operate transit service.

NCTCOG is the designated recipient for federal transit funding in the Dallas-Fort Worth-Arlington (DFWA) and Denton-Lewisville (DL) Urbanized Areas (UZAs) for the Enhanced Mobility of Seniors and Individuals with Disabilities, New Freedom, Job Access Reverse Commute, and Urbanized Area Formula Programs not served by existing local transit authorities in Dallas, Fort Worth, and Denton, Texas. As the designated recipient, NCTCOG is responsible for coordinating and allocating federal funds to transit providers in the region, coordinating subrecipient transit providers' annual program of projects, conducting oversight and monitoring activities to ensure subrecipient compliance with federal requirements, and identifying strategic projects to implement based on the regional public transportation coordinated plan, Access North Texas. In this role, NCTCOG is also responsible for developing and sponsoring a group Transit Asset Management (TAM) plan for its subrecipients.

3. Award and Project Activity

Below is a list of NCTCOG's open awards at the time of the review:

Award Number	Award Amount	Year Executed	Description
TX-2019-027	\$1,018,332	2019	NCTCOG Partial FY18 Sec 5310 Grant
TX-2019-034	\$7,303,194	2019	NCTCOG FY 2018 Section 5307 Grant
TX-2018-042	\$1,116,729	2018	NCTCOG FY 2014 Section 5307 Grant Part 3
TX-37-X096	\$4,113,840	2012	2011 JARC Program
TX-2016-033	\$6,816,551	2017	NCTCOG FY 2016 Section 5307 Grant
TX-78-0001	\$50,100,000	2011	Dallas Streetcar Initiative
TX-2016-034	\$1,387,735	2016	NCTCOG FY2016 Section 5339 Grant
TX-90-X862	\$2,868,806	2012	FY 2009 Urbanized Area Formula 5307
TX-95-X083	\$8,000,000	2015	FY2015 CMAQ Transfer
TX-57-X009	\$3,110,028	2008	2007 New Freedom Program
TX-57-X043	\$910,589	2014	2012 New Freedom Program
TX-37-X081	\$5,160,090	2011	2009 JARC (FY 2008 & 2009 Funds)
TX-16-X010	\$3,990,874	2014	FY2013 Section 5310 Funds
TX-39-0001	\$980,000	2008	Transit Planning Studies
TX-90-X980	\$2,421,078	2013	FY 2012 Urbanized Area Formula Program
TX-2017-073	\$1,788,645	2018	NCTCOG FY 2017 Section 5310 Grant
TX-90-Y040	\$3,528,066	2014	FY 2013 Urbanized Area Formula Program
TX-2016-025	\$3,440,796	2018	NCTCOG FY 2016 Section 5310 Grant
TX-2017-068	\$400,442	2017	NCTCOG FY17 Section 5339 Grant
TX-57-X021	\$7,802,958	2009	2008 New Freedom (FY 2007 & 2008 F
TX-2017-058	\$6,939,840	2017	NCTCOG FY 2017 Section 5307 Grant
TX-90-Y071	\$4,634,107	2018	FY 2014 Urbanized Area Formula Program
TX-90-Y135	\$3,258,221	2017	FY 2015 Urbanized Area Formula Program
TX-2017-020	\$1,750,000	2017	NCTCOG FY16 5309 TOD Planning Discretionary Funds
TX-2017-023	\$463,610	2016	NCTCOG FY2015 Section 5339 Grant
TX-2016-027	\$2,818,084	2016	NCTCOG FY 2014 Section 5307 (Part 2) Grant
TX-90-X911	\$2,612,858	2013	5307 FY 2010
TX-2016-024	\$3,035,426	2016	NCTCOG FY 15 Section 5307 Grant Amendment

Projects Completed

In the past few years, NCTCOG has completed the following noteworthy projects:

- Completed the last three orders of the 2014 Cooperative Vehicle Procurement in which 49 vehicles for six subrecipients were ordered and delivered.

- Conducted the 2017 Transit Call for Projects that included the award of approximately \$1.9M in the Urbanized Area Formula and Enhanced Mobility of Seniors and Individuals with Disabilities Programs to eight agencies.
- Completed a comprehensive update to Access North Texas, the region's coordinated public transit-human services transportation plan. The updated plan included public outreach, involvement, and assessment of transportation needs in the 16-county region.
- Coordinated the transfer of 20 vehicles from Texoma Area Paratransit Services (TAPS) to Dallas Area Rapid Transit (DART) and My Possibilities. Additionally, NCTCOG staff provided assistance to Collin County communities as they considered new transit options after TAPS' contracts were cancelled.
- Sponsored a group Transit Asset Management Plan for eligible subrecipients and transit partners within the region to reduce initial administration burdens.
- Initiated the Cooperative Transit Vehicle Camera Systems Procurement on behalf of four Section 5307 subrecipients. NCTCOG staff completed the solicitation and re-solicitation of this procurement.
- Initiated the development of the next Cooperative Vehicle Procurement on behalf of Section 5307 and 5310 subrecipients. This project is being developed alongside Transit Asset Management activities to ensure necessary and purposeful acquisition of replacement and expansion vehicles.
- Developed and formalized existing oversight and monitoring procedures for subrecipients receiving FTA Program funds through NCTCOG.
- Initiated a procurement for A/E services to complete Task 1 of our Transit Oriented Development Planning Grant. NCTCOG staff completed the solicitation and contract award for this procurement.
- Initiated a procurement for planning activities to complete Task 2 of our Transit Oriented Development Planning Grant. NCTCOG staff completed the solicitation and contract award for this project.
- Initiated a procurement for data collection activities to complete Task 3 of our Transit Oriented Development Planning Grant. NCTCOG staff completed the solicitation and contract award for this project.
- Assisted subrecipients with addressing service expansion as population growth continues and federal sources of operating assistance declines by creatively utilizing existing federal funds and identifying additional sources of federal and non-federal funding sources.

Ongoing Projects

NCTCOG is currently implementing the following noteworthy projects:

- Cooperative Transit Vehicle Camera Systems Procurement will move forward into the contract phase in calendar year 2019. Installations, testing, training, and final acceptance is expected to occur between 2019 – 2020.

- Transit Asset Management activities related to performance target-setting and biennial evaluation of asset conditions will occur in 2020.
- The 2019-2020 Cooperative Vehicle Procurement will be issued on behalf of NCTCOG's subgrantees to ensure state of good repair and consistency with Transit Asset Management requirements.
- Oversight and monitoring procedures, trainings, and resources will be continuously refined and developed to ensure NCTCOG and subrecipient compliance is maintained and improved.
- Implementation and A/E services will continue through 2019 for Task 1 of the Transit Oriented Development Planning grant.
- Implementation and planning activities will continue through 2019 for Task 2 of the Transit Oriented Development Planning grant.
- Implementation and data collection activities will continue through 2019 for Task 2 of the Transit Oriented Development Planning grant.
- Development and initiation of procurement activities for the remaining scope elements in Transit Planning Studies grant in 2019 – 2020.
- Work with regional transit authorities (i.e., DART, Fort Worth Transportation Authority (The T), and Denton County Transportation Authority (DCTA)) to establish a partnership to help cities gain access to transit, to better coordinate services among providers, and to create a seamless system for transit riders. As part of this partnership, Congestion Mitigation and Air Quality Improvement Program (CMAQ) funds have been set-aside to incentivize service outside the current boundaries of these transit authorities through the procurement of vehicles and the development of consensus on regional project priorities.
- Coordinating with public and private transit providers to meet gaps in service created by TAPS' reduction of service due to financial deficits. Staff will continue to assist in coordinating alternative transit options for former TAPS riders.

Future Projects

NCTCOG plans to pursue the following noteworthy projects in the next three to five years:

- Conduct at least one Strategic Award, consistent with RTC policies, to award funds from two FTA programs: Urbanized Area Formula Program for Job Access/Reverse Commute projects and the Enhanced Mobility of Seniors and Individuals with Disabilities Program.
- Continue administering both the Cooperative Transit Vehicle Camera Systems Procurement and the Cooperative Vehicle Procurement on behalf of subrecipients.
- Continue to assist our subrecipients with addressing service expansion as population growth continues and federal sources of operating assistance declines by creatively utilizing existing federal funds and identifying additional sources of federal and non-federal funding.
- Plan for the impact of population growth anticipated to continue beyond the 2020 Census. Growth in the region is predicted to continue to outpace federal and state transportation

funding available. Staff will work with providers to identify additional sources of funds as well as develop alternative financial strategies and service delivery models.

- Complete a comprehensive update to Access North Texas, the region's coordinated public transit-human services transportation plan. The updated plan will include outreach and assessment of transportation needs in the 16-county region.
- Coordinate with transit providers and human/social services in the region to develop a regional mobility management center to help individuals identify their most appropriate transportation options based on their needs.
- Complete the current cooperative vehicle procurement and in concert with the implementation of transit asset management principles, staff will identify ways to stagger funding for vehicle purchases to lessen the financial impact, in any one year, of the procurement on funds available in the Dallas-Fort Worth-Arlington Urbanized Area (UZA).
- Support mobility management and mobility as a service (MaaS) initiatives to improve the coordination of transportation services in the Metropolitan Planning Area. Activities include providing assistance to local governments, transit providers, healthcare providers, community service agencies, and the public to increase access to transportation and improve regional mobility. Other initiatives include monitoring MaaS platform integration, collaboration with strategic partners, and creating new innovative partnerships with local governments, and private and non-profit stakeholders who hold key connections or interest in increasing mobility options in the region.
- Evaluate Transit Asset Management Plan performance and utilize the investment prioritization tools developed to assist in determining funding priorities to maintain an overall state of good repair.

IV. Results of the Review

1. Legal

Basic Requirement: The recipient must promptly notify the FTA of legal matters and additionally notify the U.S. DOT Office of Inspector General (OIG) of any instances relating to false claims under the False Claims Act or fraud. Recipients must comply with restrictions on lobbying requirements.

Finding: During this Triennial Review of NCTCOG, no deficiencies were found with the FTA requirements for Legal.

2. Financial Management and Capacity

Basic Requirement: The recipient must have financial policies and procedures; an organizational structure that defines, assigns and delegates authority; and financial management systems in place to match, manage, and charge only allowable cost to the award. The recipient must conduct

required single audits and provide financial oversight of subrecipients.

Finding: During this Triennial Review of NCTCOG, no deficiencies were found with the FTA requirements for Financial Management and Capacity.

3. Technical Capacity – Award Management

Basic Requirement: The recipient must report progress of projects in awards to the FTA timely.

Finding: During this Triennial Review of NCTCOG, deficiencies were found with the FTA requirements for Technical Capacity – Award Management.

TC-AM3-1: MPRs lack required information.

NCTCOG included multiple schedule revisions in MPRs during the review period. The information included in the MPRs relating to the schedule revisions did not include an explanation of why scheduled milestones or completion dates were not met, an identification of problem areas and a narrative on how the problems will be solved, and a discussion of the expected impacts and the efforts to recover from the delays.

FTA Circular 5010.1E, Chapter. III, Section 3. Reporting Requirements

- d. Milestone Progress Reports (MPR). The MPRs must be submitted for each active Award. The MPR is the primary written communication between the recipient and FTA. This report must be submitted electronically. If only operating assistance is included in the Award, the reporting requirements are limited to the actual dates when all federal assistance has been expended.

The information provided in MPR reports should be as complete as possible, highlighting progress toward project objectives and any potential problem areas.

Each MPR must include the following data as appropriate:

- (1) *The current status, at a minimum, of each milestone that has passed during the prior reporting period, within an active Award. FTA, at its discretion, may request a recipient to update each milestone within an active Award. MPRs should identify:*
 - *The actual completion dates for any milestones completed during the reporting period, and*
 - *Any revised dates when any original (or last revised) completion dates were not met.*
- (2) *A narrative of the activity status, any problems encountered in implementation, specification preparation, bid solicitation, resolution of protests, and third-party contract Awards.*
- (3) *A detailed discussion of all Award Budget or schedule changes.*
- (4) *An explanation of why scheduled milestones or completion dates were not met.*
- (5) *Identification of problem areas and a narrative on how the problems will be solved.*
- (6) *A discussion of the expected impacts and the efforts to recover from the delays.*
- (7) *An analysis of each significant project cost variance: Completion and acceptance of*

- equipment and construction or other work should be discussed, together with a breakout of the costs incurred and those costs required to complete the project. Use quantitative measures, such as hours worked, sections completed, or units delivered.
- (8) A list of all outstanding claims exceeding \$100,000, and all claims settled during the reporting period. This list should be accompanied by a brief description, estimated costs, and the reasons for the claims.
 - (9) A list of all potential and executed change orders, as defined in Circular 4220.1, and amounts exceeding \$100,000, pending or settled, during the reporting period. This list should be accompanied by a brief description. Identification of change orders does not imply notification, acceptance, or approval of budgetary changes that might be required.
 - (10) A list of claims or litigation involving third-party contracts and potential third-party contracts that:
 - Have a value exceeding \$100,000;
 - Involve a controversial matter, irrespective of amount; or
 - Involve a highly publicized matter, irrespective of amount.
 - (11) A list of all real property acquisition actions, including just compensation, property or properties under litigation, administrative settlements, and condemnation for each parcel during the reporting period.
 - (12) All rolling stock ALIs must include a milestone for Contract Award.

Corrective Action and Schedule: By October 24, 2019, NCTCOG must submit to the FTA regional office:

- Procedures for ensuring all required information is included in future reports.
- Inclusion of the required information in MPRs under *FTA Circular 5010.1E, Chapter. III, Section 3* in the next submittal of MPRs to FTA.

After the site visit, NCTCOG provided a procedure for ensuring all required information is included in future MPRs. Additionally, sufficient information was included in NCTCOG's most recent MPR reports provided to FTA. This finding is closed.

TC-AM4-1: Annual Status reports missing or lacking required information

NCTCOG is a designated recipient of 5310 funds from FTA. NCTCOG has not submitted to FTA the required annual POP Status Reports for applicable 5310 awards.

FTA Circular 9070.1G, Chapter. VI, Section 23. Reporting Requirements

- a. Annual Program of Projects Status Reports. By October 31 each year, the state or designated recipient should submit to FTA a program status report for each active grant, covering the twelve- month period ending September 30. Designated recipients in large urbanized areas must submit quarterly status reports. The status reports should be submitted electronically and are intended to meet minimal program information needs at the regional and national levels. Reports should include an updated POP for each approved grant that contains active projects. The updated POP should reflect revised project descriptions, changes in projects from one category to another, and adjustments

within budget categories, if applicable. The updated POP can be imported as text into the project summary section of the electronic status report.

If revisions to the POP result in changes to the line item budget for the grant, these changes should be submitted as budget revisions. Significant civil rights compliance issues occurring during the year (such as Title VI, Equal Employment Opportunity (EEO), or Disadvantaged Business Enterprise (DBE) complaints against the recipient or subrecipients), should be addressed in the annual status report. In addition, the recipient may report notable accomplishments or problems involving Section 5310 subrecipients.

Corrective Action and Schedule: By October 24, 2019, NCTCOG must submit:

- Annual Program of Projects Status Reports for the past year for applicable 5310 awards in TrAMS and notify its FTA Program Manager when the reports have been uploaded in TrAMS.
- Procedures for submitting annual 5310 POP reports annually to FTA.

4. Technical Capacity – Program Management & Subrecipient Oversight

Basic Requirement: The recipient must follow the public involvement process for transportation plans; develop and submit a State Management Plan to the FTA for approval; report in the Federal Funding Accountability and Transparency Act Subaward Reporting System (FSRS) on subawards; and ensure subrecipients comply with the terms of the award.

Finding: During this Triennial Review of NCTCOG, no deficiencies were found with the FTA requirements for Technical Capacity – Program Management & Subrecipient Oversight.

5. Technical Capacity – Project Management

Basic Requirement: The recipient must be able to implement FTA-funded projects in accordance with the award application, FTA Master Agreement, and all applicable laws and regulations, using sound management practices; and prepare force account plans.

Finding: During this Triennial Review of NCTCOG, no deficiencies were found with the FTA requirements for Technical Capacity – Project Management.

6. Transit Asset Management

Basic Requirement: Recipients must comply with 49 CFR Part 625 to ensure public transportation providers develop and implement transit asset management (TAM) plans. Recipients' TAM plans must include an asset inventory, condition assessments of inventoried assets, and a prioritized list of investments to improve the state of good repair of their capital assets.

Finding: During this Triennial Review of NCTCOG, no deficiencies were found with the FTA requirements for Transit Asset Management.

7. Satisfactory Continuing Control

Basic Requirement: The recipient must ensure that FTA-funded property will remain available to be used for its originally authorized purpose throughout its useful life until disposition.

Finding: During this Triennial Review of NCTCOG, one deficiency was found with the FTA requirements for Satisfactory and Continuing Control.

SCC8-4: No evidence of physical inventory or reconciliation

NCTCOG provided information that a physical inventory was performed in 2016 and 2018 relating to FTA-funded assets over \$5,000 and with a useful life over one year. However, NCTCOG was unable to provide information that an inventory reconciliation was performed in 2016 and 2018.

2 CFR 200.313 Equipment

Management requirements. Procedures for managing equipment (including replacement equipment), whether acquired in whole or in part under a Federal award, until disposition takes place will, as a minimum, meet the following requirements:

- 1) Property records must be maintained that include a description of the property, a serial number or other identification number, the source of funding for the property (including the FAIN), who holds title, the acquisition date, and cost of the property, percentage of Federal participation in the project costs for the Federal award under which the property was acquired, the location, use and condition of the property, and any ultimate disposition data including the date of disposal and sale price of the property.*
- 2) A physical inventory of the property must be taken and the results reconciled with the property records at least once every two years.*
- 3) A control system must be developed to ensure adequate safeguards to prevent loss, damage, or theft of the property. Any loss, damage, or theft must be investigated.*

Corrective Action and Schedule: By October 24, 2019, NCTCOG must submit to the FTA regional office:

- Evidence that it has performed the physical inventory of FTA-funded assets and has reconciled any differences in inventory results to records, including any investigation regarding the cause of the differences.
- A procedure to ensure that future biennial physical inventories and reconciliations are performed for FTA-funded assets.

8. Maintenance

Basic Requirement: Recipients must keep federally funded vehicles, equipment, and facilities in good operating condition. Recipients must keep ADA accessibility features on all vehicles, equipment, and facilities in good operating order.

Finding: During this Triennial Review of NCTCOG, no deficiencies were found with the FTA requirements for Maintenance.

9. Procurement

Basic Requirement: States: When procuring property and services under a Federal award, a state must follow the same policies and procedures it uses for procurements from its non-Federal funds. The state will comply with 2 CFR §200.322 (Procurement of Recovered Materials) and ensure that every purchase order or other contract includes any clauses required by section 2 CFR §200.326 (Contract Provisions). All other non-Federal entities, including subrecipients of a state, will follow 2 CFR §§200.318 (General Procurement Standards) through 200.326 (Contract Provisions).

Non-state recipients: The non-Federal entity must use its own documented procurement procedures which reflect applicable State, local, and tribal laws and regulations, and conform to applicable Federal law and the standards identified in 2 CFR part 200.

Where FTA funds are used in procurements for services or supplies, or where FTA-funded facilities or assets are used in revenue contracts, FTA Circular 4220.1F applies. FTA funds, even operating assistance, can be segregated from local funds. FTA Circular 4220.1F does not apply to wholly locally-funded capital procurements.

Finding: During this Triennial Review of NCTCOG, no deficiencies were found with the FTA requirements for Procurement.

10. Disadvantaged Business Enterprise (DBE)

Basic Requirement: Recipients must comply with 49 CFR Part 26 to ensure nondiscrimination in the award and administration of USDOT assisted contracts. Recipients also must create a level playing field on which DBEs can compete fairly for US DOT-assisted contracts.

Finding: During this Triennial Review of NCTCOG, deficiencies were found with the US DOT requirements for DBE.

DBE5-1: DBE uniform reports contain inaccuracies and/or are missing required information

NCTCOG submitted its Uniform Reports of DBE Awards or Commitments and Payments on-time during the review period. However, the June 2018 and June 2019 Uniform Reports included total award information as opposed to only the FTA participation percentage award amount as required by 49 CFR 26.

49 CFR Part 26 Appendix B INSTRUCTIONS FOR COMPLETING THE UNIFORM REPORT OF DBE AWARDS/COMMITMENTS AND PAYMENTS

Recipients of Department of Transportation (DOT) funds are expected to keep accurate data regarding the contracting opportunities available to firms paid with DOT dollars. Failure to submit contracting data relative to the DBE program will result in noncompliance with Part 26. All dollar values listed on this form should represent the DOT share attributable to the Operating Administration (OA): Federal Highway Administration (FHWA), Federal Aviation Administration (FAA) or Federal Transit Administration (FTA) to which this report will be submitted.

1. *Indicate the DOT (OA) that provides your Federal financial assistance. If assistance comes from more than one OA, use separate reporting forms for each OA. If you are an FTA recipient, indicate your Vendor Number in the space provided.*
2. *If you are an FAA recipient, indicate the relevant AIP Numbers covered by this report. If you are an FTA recipient, indicate the Grant/Project numbers covered by this report. If more than ten vendors attach a separate sheet.* 3. *Specify the Federal fiscal year (i.e., October 1-September 30) in which the covered reporting period falls.* 4. *State the date of submission of this report.* 5. *Check the appropriate box that indicates the reporting period that the data provided in this report covers. For FHWA and FTA recipients, if this report is due June 1, data should cover October 1-March 31. If this report is due December 1, data should cover April 1-September 30. If the report is due to the FAA, data should cover the entire year.* 6. *Provide the name and address of the recipient.* 7. *State your overall DBE goal(s) established for the Federal fiscal year of the report being submitted to and approved by the relevant OA. Your overall goal is to be reported as well as the breakdown for specific race-conscious and race-neutral projections (both of which include gender-conscious/neutral projections). The race-conscious projection should be based on measures that focus on and provide benefits only for DBEs. The use of contract goals is a primary example of a race-conscious measure. The race-neutral projection should include measures that, while benefiting DBEs, are not solely focused on DBE firms. For example, a small business outreach program, technical assistance, and prompt payment clauses can assist a wide variety of businesses in addition to helping DBE firms.*

Section A: Awards and Commitments Made During This Period

The amounts in items 8(A)-10(I) should include all types of prime contracts awarded and all types of subcontracts awarded or committed, including: professional or consultant services, construction, purchase of materials or supplies, lease or purchase of equipment and any other types of services. All dollar amounts are to reflect only the Federal share of such contracts and should be rounded to the nearest dollar.

Line 8: Prime contracts awarded during this period: The items on this line should correspond to the contracts directly between the recipient and a supply or service contractor, with no intermediaries between the two.

8(A). Provide the total dollar amount for all prime contracts assisted with DOT funds and awarded during this reporting period. This value should include the entire Federal share of the contracts without removing any amounts associated with resulting subcontracts.

8(B). Provide the total number of all prime contracts assisted with DOT funds and awarded during this reporting period.

8(C). From the total dollar amount awarded in item 8(A), provide the dollar amount awarded in prime contracts to certified DBE firms during this reporting period. This amount should not include the amounts sub contracted to other firms.

8(D). From the total number of prime contracts awarded in item 8(B), specify the number of prime contracts awarded to certified DBE firms during this reporting period.

8(E&F). This field is closed for data entry. Except for the very rare case of DBE-set asides permitted under 49 CFR Part 26, all prime contracts awarded to DBES are regarded as race-neutral.

8(G). From the total dollar amount awarded in item 8(C), provide the dollar amount awarded to certified DBEs through the use of race-neutral methods. See the definition of race-neutral in item 7 and the EXPLANATION FOR THE RECIPIENT in item 8 of project types to include.

8(H). From the total number of prime contracts awarded in 8(D), specify the number awarded to DBEs through race-neutral methods.

8(I). Of all prime contracts awarded this reporting period, calculate the percentage going to DBEs. Divide the dollar amount in item 8(C) by the dollar amount in item 8(A) to derive this percentage. Round percentage to the nearest tenth.

Line 9: Subcontracts awarded/committed this period: Items 9(A)-9(I) are derived in the same way as items 8(A)-8(I), except that these calculations should be based on subcontracts rather than prime contracts. Unlike prime contracts, which may only be awarded, subcontracts may be either awarded or committed.

9(A). If filling out the form for general reporting, provide the total dollar amount of subcontracts assisted with DOT funds awarded or committed during this period. This value should be a subset of the total dollars awarded in prime contracts in 8(A), and therefore should never be greater than the amount awarded in prime contracts. If filling out the form for project reporting, provide the total dollar amount of subcontracts assisted with DOT funds awarded or committed during this period. This value should be a subset of the total dollars awarded or previously in prime contracts in 8(A). The sum of all subcontract amounts in consecutive periods should never exceed the sum of all prime contract amounts awarded in those periods.

9(B). Provide the total number of all subcontracts assisted with DOT funds that were awarded or committed during this reporting period.

9(C). From the total dollar amount of subcontracts awarded/committed this period in item 9(A), provide the total dollar amount awarded in subcontracts to DBEs.

9(D). From the total number of subcontracts awarded or committed in item 9(B), specify the number of subcontracts awarded or committed to DBEs.

9(E). From the total dollar amount of subcontracts awarded or committed to DBEs this period, provide the amount in dollars to DBEs using race-conscious measures.

9(F). From the total number of subcontracts awarded or committed to DBEs this period, provide the number of subcontracts awarded or committed to DBEs using race-conscious measures.

9(G). From the total dollar amount of subcontracts awarded/committed to DBEs this period, provide the amount in dollars to DBEs using race-neutral measures.

9(H). From the total number of subcontracts awarded/committed to DBEs this period, provide the number of subcontracts awarded to DBEs using race-neutral measures.

9(I). Of all subcontracts awarded this reporting period, calculate the percentage going to DBEs. Divide the dollar amount in item 9(C) by the dollar amount in item 9(A) to derive this percentage. Round percentage to the nearest tenth.

Line 10: Total contracts awarded or committed this period. These fields should be used to show the total dollar value and number of contracts awarded to DBEs and to calculate the overall percentage of dollars awarded to DBEs.

10(A)-10(B). These fields are unavailable for data entry.

10(C-H). Combine the total values listed on the prime contracts line (Line 8) with the corresponding values on the subcontracts line (Line 9).

10(I). Of all contracts awarded this reporting period, calculate the percentage going to DBEs. Divide the total dollars awarded to DBEs in item 10(C) by the dollar amount in item 8(A) to derive this percentage. Round percentage to the nearest tenth.

Corrective Action and Schedule: By October 24, 2019, NCTCOG must submit to the FTA RCRO:

- Corrected Uniform Reports of DBE Awards or Commitments and Payments for June 2018 and June 2019.
- Implemented procedures in a revised DBE program for correctly completing Uniform Reports of DBE Awards or Commitments and Payments.

DBE6-1: DBE goal achievement analysis and corrective action plan not completed timely

NCTCOG did not achieve its DBE Goal in FY2016 and FY2017 and did not complete a shortfall analysis for these years. Additionally, NCTCOG did not achieve its DBE Goal in FY2018 and the completed shortfall analysis did not include specific steps and milestones to correct the problems identified in the analysis and to enable it to meet its DBE Goal for the following fiscal year.

49 CFR 26.47(c)

If the awards and commitments shown on your Uniform Report of Awards or Commitments and Payments at the end of any fiscal year are less than the overall goal applicable to that fiscal year, you must do the following in order to be regarded by the Department as implementing your DBE program in good faith: (1) Analyze in detail the reasons for the difference between the overall goal and your awards and commitments in that fiscal year; (2) Establish specific steps and milestones to correct the problems you have identified in your analysis and to enable you to meet fully your goal for the new fiscal year.

Corrective Action and Schedule: By October 24, 2019, NCTCOG must submit to the FTA RCRO:

- An updated FY2018 shortfall analysis that includes a corrective action and timeline.
- A revised DBE program that includes a procedure to ensure future shortfall analyses are completed and include the required information outlined in 49 CFR 26.47.

DBE12-4: Recipient not ensuring prompt payment

NCTCOG entered into a contract during the review period that included subcontractors. NCTCOG included a prompt payment clause in the procurement, but it was not the same prompt payment clause included in its DBE Program. Additionally, NCTCOG did not monitor prompt payment

during the term of the contract and does not have an active monitoring and enforcement process for ensuring compliance with prompt payment.

49 CFR 26.37 (b)

Your DBE program must also include a monitoring and enforcement mechanism to ensure that work committed to DBEs at contract award or subsequently (e.g., as the result of modification to the contract) is actually performed by the DBEs to which the work was committed. This mechanism must include a written certification that you have reviewed contracting records and monitored work sites in your state for this purpose. The monitoring to which this paragraph refers may be conducted in conjunction with monitoring of contract performance for other purposes (e.g., close-out reviews for a contract).

49 CFR 26.29 (d)

Your DBE program must provide appropriate means to enforce the requirements of this section. These means may include appropriate penalties for failure to comply, the terms and conditions of which you set. Your program may also provide that any delay or postponement of payment among the parties may take place only for good cause, with your prior written approval.

Corrective Action and Schedule: By October 24, 2019, NCTCOG must submit to the FTA RCRO:

- Documentation of a monitoring and enforcement process to ensure prompt payment and/or evidence of its next three efforts to ensure compliance with prompt payment and return of retainage requirements.
- A revised DBE Program that includes the prompt payment clause NCTCOG will implement moving forward.

11. Title VI

Basic Requirement: The recipient must ensure that no person shall, on the grounds of race, color, or national origin, be excluded from participating in, or be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance without regard to whether specific projects or services are federally funded. The recipient must ensure that all transit services and related benefits are distributed in an equitable manner.

Finding: During this Triennial Review of NCTCOG, no deficiencies were found with the FTA requirements for Title VI.

12. Americans with Disabilities Act (ADA)- General

Basic Requirement: Under 49 CFR 37.121(a), each public entity operating a fixed-route system shall provide paratransit or other special service to individuals with disabilities that is comparable to the level of service provided to individuals without disabilities who use the fixed route system. "Comparability" is determined by 49 CFR 37.123-37.133. Requirements for complementary paratransit do not apply to commuter bus, commuter rail, or intercity rail systems.

Finding: During this Triennial Review of NCTCOG, one deficiency was found with the US DOT requirements for ADA – General.

ADA-GEN14-1: Insufficient oversight of subrecipients for ADA requirements

NCTCOG has a number of subrecipients that operate transit service in their communities. Only one subrecipient, STAR Transit, operates fixed route service and ADA complementary paratransit service. The other subrecipients operate demand response service for seniors and people with disabilities or the general public. One of those subrecipients also operates commuter bus service.

During the review period, NCTCOG's subrecipient oversight program included desk reviews and site visits to monitor subrecipients' compliance with some ADA requirements, such as complaint procedures, vehicle acquisition, and route deviation service. Monitoring of subrecipients for other ADA requirements, such as service provision and training, maintenance of accessibility features, and ADA paratransit requirements, was not performed.

Chapter 53 of title 49, United States Code, as amended by Fixing America's Surface Transportation Act Related FAST and MAP-21 provisions, Section 5330. Grants for buses and bus facilities

(a)(3) Grant requirements--The requirements of--

(A) section 5307 shall apply to recipient of grants made in urbanized areas under this subsection; and

(B) section 5311 shall apply to recipients of grants made in rural areas under this subsection.

49 CFR 200.331 Requirements for pass-through entities

All pass-through entities must:

(d) Monitor the activities of the subrecipient as necessary to ensure that the subaward is used for authorized purposes, in compliance with Federal statutes, regulations, and the terms and conditions of the subaward; and that subaward performance goals are achieved. Pass-through entity monitoring of the subrecipient must include:

(1) Reviewing financial and performance reports required by the pass-through entity.

(2) Following-up and ensuring that the subrecipient takes timely and appropriate action on all deficiencies pertaining to the Federal award provided to the subrecipient from the pass-through entity detected through audits, on-site reviews, and other means.

(3) Issuing a management decision for audit findings pertaining to the Federal award provided to the subrecipient from the pass-through entity as required by §200.521 Management decision.

49 CFR Part 37.77 Purchase or lease of new non-rail vehicles by public entities operating a demand responsive system for the general public

(d) A public entity receiving FTA funds under 49 U.S.C. 5311 or a public entity in a small urbanized area which receives FTA funds under 49 U.S.C. 5307 from a state administering agency rather than directly from FTA, which determines that its service to individuals with disabilities is equivalent to that provided other persons shall, before any procurement of

an inaccessible vehicle, file with the appropriate state program office a certificate that it provides equivalent service meeting the standards of paragraph (c) of this section.

Corrective Action and Schedule: By October 24, 2019, NCTCOG must submit to the FTA RCRO:

- Procedures for ensuring that subrecipients comply with the relevant US DOT ADA requirements, including complementary paratransit service requirements, and evidence of implementation.

13. ADA – Complementary Paratransit

Basic Requirement: Titles II and III of the ADA of 1990 provide that no entity shall discriminate against an individual with a disability in connection with the provision of transportation service. The law sets forth specific requirements for vehicle and facility accessibility and the provision of service, including complementary paratransit service.

Finding: During this Triennial Review of NCTCOG, no deficiencies were found with US DOT requirements for ADA – Complementary Paratransit.

14. Equal Employment Opportunity

Basic Requirement: The recipient must ensure that no person in the United States shall on the grounds of race, color, religion, national origin, sex, age, or disability be excluded from participating in, or denied the benefits of, or be subject to discrimination in employment under any project, program, or activity receiving Federal financial assistance under the Federal transit laws. (Note: Equal Employment Opportunity Commission's regulation only identifies/recognizes religion and not creed as one of the protected groups.)

Finding: During this Triennial Review of NCTCOG, no deficiencies were found with the FTA requirements for Equal Employment Opportunity.

15. School Bus

Basic Requirement: Recipients are prohibited from providing school bus service in competition with private school bus operators unless the service qualifies and is approved by the FTA Administrator under an allowable exemption. Federally funded equipment or facilities cannot be used to provide exclusive school bus service.

Finding: During this Triennial Review of NCTCOG, no deficiencies were found with the FTA requirements for School Bus.

16. Charter Bus

Basic Requirement: Recipients are prohibited from using federally funded equipment and facilities to provide charter service if a registered private charter operator expresses interest in providing the service. Recipients are allowed to operate community based charter services excepted under the regulations.

Finding: During this Triennial Review of NCTCOG, no deficiencies were found with the FTA requirements for Charter Bus.

17. Drug Free Workplace Act

Basic Requirement: Recipients are required to maintain a drug-free workplace for all award-related employees; report any convictions occurring in the workplace timely; and have an ongoing drug-free awareness program.

Finding: During this Triennial Review of NCTCOG, no deficiencies were found with the FTA requirements for Drug-Free Workplace Act.

18. Drug and Alcohol Program

Basic Requirement: Recipients receiving Section 5307, 5309, 5311, or 5339 funds that have safety-sensitive employees must have a drug and alcohol testing program in place for such employees.

Finding: During this Triennial Review of NCTCOG, no deficiencies were found with the FTA requirements for Drug and Alcohol Program.

19. Section 5307 Program Requirements

Basic Requirement: For fixed-route service supported with Section 5307 assistance, fares charged seniors, persons with disabilities or an individual presenting a Medicare card during off peak hours will not be more than one half the peak hour fares. Recipients are expected to have a written, locally developed process for soliciting and considering public comment before raising a fare or carrying out a major transportation service reduction. Recipients shall develop, publish, afford an opportunity for a public hearing on, and submit for approval, a program of projects (POP). Recipients must annually certify that they are spending at least one percent of such funds for transit security projects or that such expenditures for security systems are not necessary. Recipients must ensure that least one percent of such funds are expended on associated transit enhancement projects.

Finding: During this Triennial Review of NCTCOG, no deficiencies were found with the FTA requirements for Section 5307 Program Requirements.

20. Section 5310 Program Requirements

Basic Requirement: Recipients must expend funds on eligible projects that meet the specific needs of seniors and individuals with disabilities. Projects selected for funding under the Section 5310 program must be included in a locally developed, coordinated public transit-human services transportation plan. Recipients must approve all leases of Section 5310-funded vehicles and ensure that leases include required terms and conditions. Either the recipient or subrecipient must hold title to the leased vehicles.

Finding: During this Triennial Review of NCTCOG, no deficiencies were found with the FTA requirements for Section 5310 Program Requirements.

21. Section 5311 Program Requirements

Basic Requirement: Recipients must expend funds on eligible projects to support rural public transportation services and intercity bus transportation.

This section only applies to recipients that receive Section 5311 funds directly from FTA, therefore, the related requirements are not applicable to the review of NCTCOG.

Summary of Findings

Review Area	Finding	Deficiency Codes	Corrective Actions	Response Due Dates	Date Closed
1. Legal	ND				
2. Financial Management and Capacity	ND				
3. Technical Capacity – Award Management	D	TC-AM3-1: MPRs lack required information.	<p>NCTCOG must submit to the FTA regional office:</p> <ul style="list-style-type: none"> Procedures for ensuring all required information is included in future reports. Inclusion of the required information in MPRs under <i>FTA Circular 5010.1E, Chapter, III, Section 3</i> in the next submittal of MPRs to FTA. <p>After the site visit, NCTCOG provided a procedure for ensuring all required information is included in future MPRs. Additionally, sufficient information was included in NCTCOG's most recent MPR reports provided to FTA. This finding is closed.</p>	October 24, 2019	August 23, 2019
		TC-AM4-1: Annual Status reports missing or lacking required information	<p>NCTCOG must submit:</p> <ul style="list-style-type: none"> Annual Program of Projects Status Reports for the past year for applicable 5310 awards in TrAMS and notify its FTA Program Manager when the reports have been uploaded in TrAMS. Procedures for submitting annual 5310 POP reports annually to FTA. 	October 24, 2019	
4. Technical Capacity – Program Management and Subrecipient Oversight	ND				
5. Technical Capacity – Project Management	ND				
6. Transit Asset Management	ND				

Review Area	Finding	Deficiency Codes	Corrective Actions	Response Due Dates	Date Closed
7. Satisfactory Continuing Control	D	SCC8-4: No evidence of physical inventory or reconciliation	NCTCOG must submit to the FTA regional office: <ul style="list-style-type: none"> Evidence that it has performed the physical inventory of FTA-funded assets and has reconciled any differences in inventory results to records, including any investigation regarding the cause of the differences. A procedure to ensure that future biennial physical inventories and reconciliations are performed for FTA-funded assets. 	October 24, 2019	
8. Maintenance	ND				
9. Procurement	ND				
10. Disadvantaged Business Enterprise	D	DBE5-1: DBE uniform reports contain inaccuracies and/or are missing required information	NCTCOG must submit to the FTA RCRO: <ul style="list-style-type: none"> Corrected Uniform Reports of DBE Awards or Commitments and Payments for June 2018 and June 2019. Implemented procedures in a revised DBE program for correctly completing Uniform Reports of DBE Awards or Commitments and Payments. 	October 24, 2019	
		DBE6-1: DBE goal achievement analysis and corrective action plan not completed timely	NCTCOG must submit to the FTA RCRO: <ul style="list-style-type: none"> An updated FY2018 shortfall analysis that includes a corrective action and timeline. A revised DBE program that includes a procedure to ensure future shortfall analyses are completed and include the required information outlined in 49 CFR 26.47. 	October 24, 2019	

Review Area	Finding	Deficiency Codes	Corrective Actions	Response Due Dates	Date Closed
		DBE12-4: Recipient not ensuring prompt payment	NCTCOG must submit to the FTA RCRO: <ul style="list-style-type: none"> Documentation of a monitoring and enforcement process to ensure prompt payment and/or evidence of its next three efforts to ensure compliance with prompt payment and return of retainage requirements. A revised DBE Program that includes the prompt payment clause NCTCOG will implement moving forward. 	October 24, 2019	
11. Title VI	ND				
12. Americans with Disabilities Act (ADA) – General	D	ADA-GEN14-1: Insufficient oversight of subrecipients for ADA requirements	NCTCOG must submit to the FTA RCRO: <ul style="list-style-type: none"> Procedures for ensuring that subrecipients comply with the relevant US DOT ADA requirements, including complementary paratransit service requirements, and evidence of implementation. 	October 24, 2019	
13. ADA – Complementary Paratransit	ND				
14. Equal Employment Opportunity	ND				
15. School Bus	ND				
16. Charter Bus	ND				
17. Drug-Free Workplace	ND				
18. Drug and Alcohol Program	ND				
19. Section 5307 Program Requirements	ND				
20. Section 5310 Program Requirements	ND				
21. Section 5311 Program Requirements	NA				

Attendees

Name	Title	Phone Number	E-mail Address
<i>North Central Texas Council of Governments</i>			
Dawn Dalrymple	Fiscal Management Program Manager	817-608-2319	ddalrymple@nctcog.org
DJ Hale	Risk & Compliance Coordinator	817-608-2373	dhale@nctcog.org
Marcos Nunez	Human Resources Supervisor	817-714-2531	mnunez@nctcog.org
Lisa Rascoe	HR Compliance Administrator	817-704-2531	lrascoe@nctcog.org
Karen Richard	CHRO	817-695-9129	krichard@nctcog.org
Shawn Dintino	Transportation Planner	817-704-5605	sdintino@nctcog.org
Shannon Stevenson	Program Manager	817-608-2304	sstevenson@nctcog.org
Gypsy Gavia	Transportation Planner	817-695-9134	ggavia@nctcog.org
Dan Lamers	Senior Program Manager	817-695-9263	dlamers@nctcog.org
Ken KirkPatrick	Counsel	817-695-9278	kkirkpatrick@nctcog.org
Laura Mardones	TR Accounting and Reporting Supervisor	817-695-9130	lmardones@nctcog.org
Robby Sprosty	Transportation Planner	817-695-9255	lsprosty@nctcog.org
Edgar Hernandez	Senior Transportation Planner	817-704-5640	ehernandez@nctcog.org
Melany Dennis	Grants and Contracts Supervisor	817-704-5645	mdennis@nctcog.org
Mike Eastland	Executive Director	817-695-9101	meastland@nctcog.org
Dani Kessler	Assistant Director Transportation	817-695-9248	dkessler@nctcog.org
Monte Mercer	Deputy Executive Director	817-695-9121	mmercerc@nctcog.org
Michael Morris	Transportation Director	817-695-9241	mmorris@nctcog.org

Kate Zielke	Senior Transportation Planner	817-608-2395	kzielke@nctcog.org
Rich Matyiko	Fiscal Manager TR-Admin	682-433-0449	rmatyiko@nctcog.org
Emily Beckham	Grants & Contracts Manager	817-608-2308	ebeckham@nctcog.org
Molly Render	Director of Administration	817-645-9131	mrender@nctcog.org
Amanda Wilson	Public Involvement Program Manager	817-695-9284	awilson@nctcog.org
Loren Carrillo	Transportation Planner	817—608-215	lcarrillo@nctcog.org
<i>Span, Inc.</i>			
Michelle McMahon	Executive Director	973-960-4776	michellem@span-transit.org
Nicholas Gray	Transportation Manager	940-382-2224	nicholasg@span-transit.org
Laura Joy	Mobility Manager	940-382-2224	lauraj@span-transit.org
Kristine Herrera	Senior Service Manager	940-392-2224	kristineh@span-transit.org
<i>HANDITRAN</i>			
Alex Radke	Operations Supervisor	817-459-6391	Alex.Radke@arlingtontx.gov
<i>FTA</i>			
Daniel Peschell	Transportation Program Specialist	817-978-0563	Daniel.Peschell@dot.gov
Chris MacNeith	Civil Rights Officer	206-220-4462	christopher.macneith@dot.gov
<i>Calyptus Consulting Group, Inc.</i>			
Patricia Monahan	Reviewer	617-291-8431	Patti.monahan@monahanmobility.com
Francisco Morales	Reviewer	617-577-0041	fmorales@calyptusgroup.com

Appendices

No appendices included in this report.



External Audit Report

Audit of North Central Texas Council of
Governments Metropolitan Planning
Organization

TxDOT Compliance Division

Objectives and Scope

To determine whether the North Central Texas Council of Governments (NCTCOG) Metropolitan Planning Organization (MPO) has implemented necessary financial controls to ensure appropriate grant funding management and to determine whether payment requests are supported by sufficient documentation and are allowable per applicable federal requirements and TxDOT agreements.

The scope of this audit included current processes and procedures implemented by NCTCOG and the MPO to manage TxDOT funds, and requests for reimbursements submitted to TxDOT during NCTCOG's fiscal years 2017 and 2018 (October 1, 2016 through September 30, 2018).

Overall Conclusion

NCTCOG reimbursements are supported by sufficient documentation and allowable per applicable federal requirements and TxDOT agreements. Expenditures tested were incurred during the applicable agreement period; however, 10 items tested were submitted for reimbursement more than 90 days after the costs were incurred.

Overall, NCTCOG has implemented necessary financial controls to manage TxDOT grant funding. For example, NCTCOG's financial management system ensures separation of accounts between the COG and MPO, and accounts identify federal awards received and expended and the associated federal programs. NCTCOG's procedures include federal requirements related to procurement, payments, and determination of cost allowability. Procurement procedures have been approved by TxDOT, and standard contract and subrecipient agreement templates include required 2 CFR 200 information.

We identified opportunities for NCTCOG to improve internal controls and processes surrounding Regional Toll Revenue (RTR) projects, subrecipient monitoring, reimbursements, cost allocations, procurement suspension and debarment verification, and required training.

NCTCOG MPO Management's responses and action plans are included in Appendix II beginning on page 9 of this report.

Background

Urban areas in the United States with populations greater than 50,000 residents are represented by an MPO, which has primary responsibility to carry out the area's transportation planning process and establish transportation priorities.

Governor Dolph Briscoe designated NCTCOG as the MPO for the Dallas-Fort Worth (DFW) metropolitan area in 1974, and Governor William P. Clements, Jr. designated NCTCOG as

the MPO for the DFW urbanized area in 1988. NCTCOG's Transportation Department and the Regional Transportation Council (RTC) serve as the MPO staff and policy board, respectively. The RTC is comprised of 44 members representing cities, counties, TxDOT, and

other transportation interests in the region. The RTC is responsible for policy guidance and overall coordination of the transportation planning activities within the region. The NCTCOG Executive Board provides support for the MPO's fiscal and budgetary policies and actions. The Executive Board is composed of locally elected officials.

During NCTCOG's 2017 and 2018 fiscal years, TxDOT's Dallas District (DAL), Fort Worth District (FTW), and Transportation Planning & Programming Division (TPP) reimbursed \$46,233,959 on 64 projects. During this period, TxDOT also advanced \$8,818,360 for nine RTR projects. Projects primarily focused on transportation planning, congestion mitigation, and surface transportation programs.

The RTR program is a unique funding source for NCTCOG and the local governments within its boundaries. The program is funded by an upfront comprehensive development agreement payment and excess toll revenues generated in the region. RTR funds support transportation projects in the region. In 2006, the Texas Transportation Commission approved a memorandum of understanding with the RTC that requires RTC-selected projects to be financed using RTR funds upon concurrence from the Commission. Projects funded through RTR are either on-system, which are generally built by TxDOT, or off-system, which are implemented by local entities through agreements with TxDOT.

Results

Regional Toll Revenue

NCTCOG does not have standardized or documented procedures for the accounting of RTR expenditures, earned interest, and transfers. NCTCOG explained they perform periodic reconciliations of RTR funding, but documentation of the reconciliations was not provided. Additionally, supporting documentation for interest allocations and expenditure transfers has inconsistent amounts.

RTR funding is advanced to subrecipients, and Advance Funding Agreements (AFAs) require funds be deposited in an interest-bearing account. Unused funds, including interest, must be returned to the RTR program within 30 days of project completion. We identified one project that was fully-expended prior to fiscal year 2018; however, the closeout process has not been performed, and approximately \$2,300 in earned interest has not been returned to TxDOT.

NCTCOG maintains a single interest-bearing account for all RTR projects. An investment report is used to track daily interest earned and weekly project expenses. Interest is

allocated across active projects based on a projects' prior month's ending balance. NCTCOG pays RTR project expenditures from its operating account and periodically transfers funds from the RTR account to reimburse operating funds.

Auditors reviewed the September 2018 transfer and interest allocation spreadsheet for accuracy and supporting documentation. NCTCOG indicated transfers are performed monthly; however, the September 2018 transfer included costs posted in July, August, and September 2018. The September 2018 transfer was \$400,868, but the investment report and a detail of transactions from NCTCOG's accounting system showed \$400,473 in eligible expenses. The interest allocation spreadsheet shows expenses of \$501,733 during the transfer period covered. Additionally, timing delays between incurring expenses and reimbursing the operating account results in additional interest earnings. The transfer included \$375 in interest moved to the operating account; however, RTR agreements require earned interest be returned to the RTR program.

Due to the discrepancies in amounts detailed above, auditors also compared the expenditures and account balances detailed on the investment report and interest allocation spreadsheet for the entire fiscal year. Discrepancies were identified in the totals for each month and the aggregate fiscal year. NCTCOG did not provide reconciliation documentation to explain the differences. Accurate expenditure and project balance information is necessary to ensure correct interest allocation and return of unexpended project funds. Additionally, RTR agreements require recipients to maintain complete and accurate records sufficient to show funds were used in accordance with the agreement.

Recommendation: NCTCOG MPO should implement consistent internal processes for the administration of RTR funds in relation to interest allocations, expenditures, accounting documentation, reconciliations, bank transfers, and project closeout. NCTCOG should reimburse TxDOT for all unused project funding and earned interest.

Subrecipient Monitoring

Auditors reviewed subrecipient monitoring activities on four NCTCOG subrecipients for compliance with internal procedures and federal requirements. NCTCOG completed risk assessments for all four subrecipients, which included questionnaires, review of single audits and financial information, meetings between various NCTCOG personnel, and executive board approval. NCTCOG MPO should ensure subrecipient monitoring is conducted in compliance with federal and state requirements. Procedures should be updated to require annual reviews of subrecipient Single Audit Reports, as applicable and consistent with federal regulations. and verification of risk assessments prior to entering agreements.

Specifically, NCTCOG did not complete annual risk assessments for two subrecipients tested as required by NCTCOG Subrecipient Oversight Program procedures. NCTCOG completed initial risk assessments for all four subrecipients tested, however, NCTCOG did not complete those risk assessments before seeking executive board approval to enter into agreements, as required by NCTCOG procedures. For one subrecipient, NCTCOG executed the agreement in September 2015 but did not complete the subrecipient risk assessment until April 2016. 2 CFR 200.331(b) requires pass-through entities evaluate the subrecipient's risk of noncompliance with federal statutes and subaward terms and conditions prior to making the award.

For three of the four subrecipients tested, NCTCOG did not perform monitoring activities, such as site visits, that were recommended during the risk assessment. NCTCOG did not document decisions and supporting rationale for forgoing suggested monitoring activities for those subrecipients as required by internal procedures.

Recommendation: NCTCOG MPO should ensure subrecipient monitoring is conducted in compliance with federal requirements and internal procedures. Procedures should be updated to require annual reviews of subrecipient Single Audit Reports and verification of risk assessments prior to entering agreements.

Expenditures

Auditors tested 65 reimbursed cost items, totaling \$4,204,366, for sufficient documentation and compliance with federal and state requirements and applicable agreements. Costs were sampled from vouchers representing 12 projects totaling \$12,406,337. Selected vouchers represent 23% of the \$55,058,069 expenditures during the scope period.

Expenditures tested were allowable and supported by sufficient documentation. However, 10 items, totaling \$69,833 and 1.6% of reimbursed cost items reviewed, were submitted for reimbursement more than 90 days after costs were incurred. Advance Funding Agreements (AFA) between TxDOT and NCTCOG require reimbursement requests be submitted no later than 90 days after costs are incurred.

Recommendation: NCTCOG should implement procedures to ensure costs are submitted for reimbursement within required time periods.

Allocations

The NCTCOG cost allocation plan does not include adequate detail to support billed service allocation methodologies. For example, NCTCOG allocates rent and facilities charges to projects based on total office space of 138,900 square feet, exceeding 138,206 square feet listed in the fiscal year 2016 and 2017 plans. Additional 694 square feet represents 0.5% of total office space. Of the 138,900 square feet, 45,375 square feet were

designated to the MPO and used by NCTCOG to calculate charges incurred. Research and Information Services (RIS) Department staffing and non-labor costs are neither defined in the NCTCOG plan nor the interdepartmental agreement between the MPO and the RIS Department. RIS demographic data and forecasting expenses are allocated to the MPO at a rate of 85.56%. Lastly, Network Services and Geographic Information Systems (GIS) expenses are allocated to the MPO and submitted to TxDOT for reimbursement based upon budgeted figures. Additionally, reconciliations provided by NCTCOG did not provide adequate detail to identify the proportionate amount of costs attributed to the MPO.

2 CFR 200, Appendix V requires that allocated costs be included in the plan, and the governmental entity is required to compare the expenses for each allocation activity to the actual allowable costs of the service at least annually and adjust accordingly for the differences.

Recommendation: NCTCOG should update its cost allocation plan to ensure allocations are properly defined, based on the most recent information, and reconciled to actual costs.

Procurement

NCTCOG did not always perform timely suspension and debarment verifications to ensure it was not conducting business with entities that are debarred, suspended, or otherwise ineligible for participation in federal assistance programs as required by 2 CFR 200.213 and NCTCOG procurement procedures.

Auditors reviewed 11 NCTCOG procurements, totaling \$2,343,471 for compliance with federal, state and TxDOT agreement requirements. For two of 11 procurements, suspension and debarment verifications were completed after the requisition or contract dates. The verification for a \$64,000 advertising expense was completed on March 26, 2019, significantly after the purchase requisition date on November 22, 2017. The verification for a \$240,000 competitively-bid engineering study was completed on March 30, 2018; the related contract was executed on March 9, 2018, and the notice to proceed was issued on March 12, 2018. Neither entity was debarred nor suspended at the time of verification.

Recommendation: NCTCOG MPO should update procedures to ensure suspension and debarment verifications are performed prior to proceeding with procurements per federal requirements and internal policies. NCTCOG management should enforce this requirement and only approve procurements with documented verifications.

Training

Key project personnel, as identified by NCTCOG, did not complete required TxDOT Local Government Project (LGP) training for four of six projects reviewed. The key individual for the

remaining two projects has not retaken the training since November 2013. All personnel who took the training on or before June 30, 2016, had until July 1, 2019 to re-take the class to remain qualified. Per TxDOT's LGP Policy Manual, local governments must assign an individual qualified in this training to each project funded through an AFA. Per the AFAs between TxDOT and NCTCOG, TxDOT may deny reimbursement if the local government has not designated a qualified individual to oversee the applicable project. The course provides training related to TxDOT contract terms, state and federal regulations, and the project development process. Beginning on July 1, 2016, key project personnel were also required to retake the training at least once every three years.

Recommendation: NCTCOG MPO should ensure all key project personnel assigned to TxDOT projects complete the required LGP training course prior to federal spending obligation on a project. Key personnel should retake training every three years.

Appendix I

Project Information

This audit was conducted for the Transportation Planning & Programming Division (TPP), Dallas District (DAL), Fort Worth District (FTW), TxDOT Administration, and the Chief Audit and Compliance Officer. The audit was included in the fiscal year 2019 Compliance Division External Audit work plan and performed by Naima Hafeez (Engagement Lead), Gail Ates, and Tasha Foote. Engagement fieldwork was conducted from January 2019 through June 2019.

We conducted this audit in accordance with Generally Accepted Government Auditing Standards and in conformance with the International Standards for the Professional Practice of Internal Auditing. Those standards require we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe the evidence obtained provides a reasonable basis for our findings and conclusions on our audit objectives.

Methodology

- Gained an understanding of NCTCOG operating structure.
- Interviewed key TPP, DAL, and FTW personnel.
- Interviewed key NCTCOG personnel in the Transportation, Accounting and Reporting, and Risk and Compliance Departments.
- Reviewed the NCTCOG financial management system.
- Reviewed NCTCOG Accounting Policies and Procedures Manual.
- Reviewed NCTCOG's procurement procedures.
- Reviewed NCTCOG's standard contract and subrecipient agreement templates.
- Tested expenditures for sufficient documentation and allowability.
- Reviewed a sample of procurements for compliance applicable requirements.
- Evaluated subrecipient monitoring processes compliance with federal requirements.
- Reviewed the NCTCOG indirect cost rate and cost allocation plans.
- Verified key project personnel attended TxDOT's Local Government Projects training.
- Reviewed NCTCOG's internal processes for RTR administration.

Criteria

- Title 2 Code of Federal Regulations Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
- Standards for Internal Control in the Federal Government (Green Book).
- Committee of Sponsoring Organizations of the Treadway Commission (COSO) Internal Control – Integrated Framework.
- Funding agreements and amendments between TxDOT and the MPO.
- Local Government Projects Policy Manual.
- NCTCOG Policies and Procedures.

Appendix II



North Central Texas Council Of Governments

August 13, 2019

Mr. Patrick McKinney
External Audit & Advisory Services Section Director
Compliance Division
Texas Department of Transportation
125 East 11th Street
Austin, Texas 78701-2483

Dear Mr. McKinney:

Thank you for providing the opportunity to review and comment on the draft External Audit Report for the North Central Texas Council of Governments (NCTCOG) Metropolitan Planning Organization (MPO). On behalf of the NCTCOG MPO, I wish to convey appreciation for the effort that your staff made to learn about the MPO and our procedures and initiatives. I believe that this understanding enabled thoughtful judgement and useful recommendations to help the MPO continue to advance administrative improvements.

The comments below are provided in response to each recommendation included in the draft external Audit Report (attached for reference).

Regional Toll Revenue – NCTCOG will implement improvements to the accounting procedures for Regional Toll Revenue (RTR) funds. Documentation of procedures and close-out of completed RTR projects will be finalized by September 30, 2019.

Subrecipient Monitoring – NCTCOG will ensure subrecipient monitoring is conducted in compliance with federal and state requirements and applicable agreements. Procedures will be updated to require annual reviews of subrecipient Single Audit Reports, as applicable and consistent with federal regulations. NCTCOG will ensure verification of risk assessments prior to entering agreements. Updated procedure documentation will be provided to TxDOT by September 30, 2019.

Expenditures – Procedures supporting the reimbursement request process are currently in place. NCTCOG acknowledges that additional improvements can be made for timely submittal of reimbursement requests and staff will continue to work on addressing situations causing submittal delays.

Allocations – NCTCOG will update the Cost Allocation Plan for FY2020, to be completed by September 30, 2019. NCTCOG will also review Fiscal Year end accounting processes to ensure appropriate reconciliation is completed for allocated costs.

Procurement – MPO procurement procedures already include steps for verification of suspension and debarment. Staff will continue to work on improving adherence and enforcement of these processes.

616 Six Flags Drive, Centerpoint Two
P. O. Box 5888, Arlington, Texas 76005-5888
(817) 640-3300 FAX: 817-640-7806 ♻️ recycled paper
www.nctcog.org

August 13, 2019

Training – NCTCOG supports efforts to engage MPO staff for training and better understanding of TxDOT processes. NCTCOG requests TxDOT to tailor the training to better meet the specific responsibilities and projects implemented by the MPO.

Thank you again for providing the opportunity to review and comment on the draft report. Your staff conducted a comprehensive review and coordinated with NCTCOG staff in a cooperative manner, consistent with the great partnership we have established with TxDOT. I appreciate the efforts to compile these recommendations to help us improve our processes. Please contact me at (817) 695-9241 or Dawn Dalrymple, Program Manager, at (817) 608-2319 for further discussion of any of the above items if needed.

Sincerely,



Michael Morris, P.E.
Director of Transportation

DD: tmb
Attachment

cc: R. Michael Eastland, Executive Director, NCTCOG
Monte Mercer, Deputy Executive Director, NCTCOG
Dan Kessler, Assistant Director of Transportation, NCTCOG
Molly Rendon, Director of Administration, NCTCOG
Ken Kirkpatrick, Counsel for Transportation, NCTCOG
Dawn Dalrymple, Program Manager, NCTCOG



North Central Texas Council of Governments

Item 16

Exhibit: 2019-10-16-AA

Meeting Date: October 24, 2019

Submitted By: Mike Eastland
 Executive Director

Item Title: Status Report on Living Wage

Staff will provide an overview of living wages in response to the Executive Board's request during its September 2019 meeting.

June 2019 - May 2020

[illegible]



North Central Texas Council of Governments

2019-20 NCTCOG Executive Board Calendar

Regular Meetings start at 12:45 pm unless otherwise posted
Meeting Location: CenterPoint II, 616 Six Flags Drive, Arlington, Texas

November 21, 2019	Executive Board Meeting – NCTCOG Offices
December 19, 2019	Executive Board Meeting – NCTCOG Offices
January 23, 2020	Executive Board Meeting – NCTCOG Offices
February 27, 2020	Executive Board Meeting – NCTCOG Offices
March 26, 2020	Executive Board Meeting – NCTCOG Offices
April 23, 2020	Executive Board Meeting – NCTCOG Offices
May 28, 2020	Executive Board Meeting – NCTCOG Offices
JUNE 2020	GENERAL ASSEMBLY
June 25, 2020	Executive Board Meeting – NCTCOG Offices
July 23, 2020	Executive Board Meeting & NCTCOG Foundation Meeting – NCTCOG Offices
August 27, 2020	Executive Board Meeting – NCTCOG Offices
September 24, 2020	Executive Board Meeting – NCTCOG Offices
October 22, 2020	Executive Board Meeting – NCTCOG Offices
November 19, 2020	Executive Board Meeting – NCTCOG Offices
December 17, 2020	Executive Board Meeting – NCTCOG Offices



North Central Texas Council of Governments

Item 19

Exhibit: 2019-10-19-EDO

Meeting Date: October 24, 2019

Submitted By: Mike Eastland
Executive Director

Item Title: Possible Resolution Concerning Matters Discussed During Executive Session

This agenda item is for the consideration of any necessary actions for the following item discussed in executive session:

Consultation with attorney regarding pending litigation pursuant to Texas Government Code Section 551.071: Stevenson v. NCTCOG, Civil Action No. 3:19-CV-951-L in the U.S. District Court for the Northern District of Texas-Dallas Division

I will be available to answer any questions prior to requesting Board approval.