



North Central Texas Council of Governments

TO: NCTCOG Executive Board **DATE:** March 18, 2014
FROM: Mike Eastland
 Executive Director
SUBJECT: Executive Board Meeting

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

DATE: March 27, 2014

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

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

I hope 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

Thursday, March 27, 2014

12:45 P.M.

Executive Board

____ Stephen Terrell	____ Vonciel Jones Hill	____ Toni Rose
____ Kathryn Wilemon	____ Clay Jenkins	____ Daniel Scarth
____ John Horn	____ Marcus Knight	____ Keith Self
____ Bobbie Mitchell	____ A.J. Mathieu	____ Lissa Smith
	____ Larry Marshall	____ Glen Whitley

Staff

____ Mike Eastland	____ David Setzer	____ Lucille Johnson
____ Monte Mercer	____ Molly Thoerner	____ Stephanie Cecil
____ Tim Barbee	____ Edith Marvin	
____ Michael Morris		

REGULAR SESSION

Call to order time: _____

Pledges

ACTION:

Motion/ Second	Item #	Name of Item
____/____	1.	Approval of Minutes
____/____	2.	Resolution Authorizing Approval of Aging Area Plan (Doni Green)
____/____	3.	Resolution Authorizing Addition of Two Part-Time Employees for Aging Program (Doni Green)
____/____	4.	This item removed

- ___/___ 5. **Contract with a Consultant to Provide Ongoing Support and Annual Enrollment Assistance for PEBC (Tim Barbee)**

- ___/___ 6. **Resolution Approving the Renewal of the Facility Lease for the Terrell Workforce Facility (David Setzer)**

- ___/___ 7. **Resolution Approving the Termination of the Facility Lease for the Rockwall Workforce Center (David Setzer)**

- ___/___ 8. **Resolution Authorizing Submittal of Grant Application and Authorization to Receive Funding from the Federal Highway Administration for Development of Analytical Products (Michael Morris)**

- ___/___ 9. **Resolution Authorizing a Consultant Contract with Kimley-Horn and Associates, Inc., to Implement the Regional Traffic Signal Retiming Program (Michael Morris)**

- ___/___ 10. **Resolution Endorsing the Regional Transportation Council November 4, 2014, Constitutional Amendment Position Statement (Michael Morris)**

STATUS REPORTS:

- ___/___ 11. **Status Report on the Federal Transit Administrations Review of the North Central Texas Council of Governments Title VI Program (Michael Morris)**

- ___/___ 12. **Announcement of the President's 2014-15 Executive Board Nominating Committee (Mike Eastland)**

MISCELLANEOUS:

Old and New Business

Future Calendar and Attendance

Adjournment: _____

**NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS
EXECUTIVE BOARD MEETING**

Minutes — February 27, 2014

Transportation Council Room
616 Six Flags Drive
Arlington, Texas

President Terrell called the special meeting of the North Central Texas Council of Governments Executive Board to order at 11:09 on March 27, 2014 to consider amending the NCTCOG Bylaws.

Members of the Board Present:

Stephen Terrell – President, Mayor, City of Allen
Kathryn Wilemon – Vice-President, Councilmember, City of Arlington
John Horn – Secretary/Treasurer, County Judge, Hunt County
Bobbie Mitchell – Past President, Commissioner, Denton County
Vonciel Jones Hill, Councilmember, City of Dallas
Marcus Knight, Mayor, City of Lancaster
Dr. Larry Marshall, Councilmember, City of Benbrook
A.J. Mathieu, Councilmember City of Joshua
Toni Rose, State Representative
Daniel Scarth, Councilmember, City of Fort Worth
Keith Self, County Judge, Collin County
Lissa Smith, Mayor Pro Tem, City of Plano
B. Glen Whitley, County Judge, Tarrant County

Members of the Board Absent:

Clay Jenkins, County Judge, Dallas County

Members of the Staff Present:

Mike Eastland, Executive Director
Monte Mercer, Deputy Executive Director
Tim Barbee, Chief Information Officer, Research and Information Services
Michael Morris, Director of Transportation
David Setzer, Director of Workforce Development
Edith Marvin, Director Environment and Development
Molly Thoerner, Director of Emergency Preparedness
Lucille Johnson, Assistant to the Executive Director
Stephanie Cecil, Administrative Assistant, Executive Director's Office
Stephanie Mullen, Grants and Contracts Supervisor, Transportation
Karen Richard, Chief Human Resources Officer
Bob Best, Audio/Video Comp Support Tech, Transportation
James Powell, Assistant Council, Transportation
Shannan Ramirez, Assistant Director of Finance, Administration
Kelly Schmidt, Senior Criminal Justice Planner
Christy Williams, Chief Program Manager, 9-1-1
Amanda Wilson, Public Involvement Manager, Transportation

Visitors Present:

Brad Jay, Partner, Weaver, LLP

ACTION:

Special Board Meeting to Consider Amending the NCTCOG Bylaws

The Board discussed a number of proposed changes to the NCTCOG Bylaws (**See Attachment 1**). After the discussion, it was the consensus of the Board that another Bylaws meeting (beginning at 11:00 am) be added to the Agenda of the April 24, 2014 Executive Board Meeting.

At 12:45 pm the Board recessed for lunch, to reconvene not later than 1:10 pm.

REGULAR SESSION

President Terrell called the Regular meeting of the North Central Texas Council of Governments Executive Board to order at 1:10 pm on March 27, 2014.

Item 1. Minutes

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

Upon a Motion by Councilmember Wilemon (seconded by Councilmember Marshall), and unanimous vote of all members present, the Board approved the Minutes of the January Executive Board Meeting.

Item 2. Resolution to Accept and Approve the Comprehensive Annual Financial Report for Fiscal Year 2013

Monte Mercer, Deputy Executive Director, presented the Comprehensive Annual Financial Report (CAFR) and single audit reports for the fiscal year that ended September 30, 2013. He explained that the auditors had no findings or comments. He introduced Mr. Brad Jay, Partner, Weaver, L.L.P., confirmed that they were issuing a clean report and complimented NCTCOG staff for having everything in order to facilitate the auditing work and for fully assisting them in providing information and answering questions.

Audit Committee Chair, Councilmember Wilemon, informed the Board that the committee reviewed the audit reports and was given the opportunity to ask questions of Mr. Jay. She recommended the Board accept the auditor's reports.

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

See Exhibit E14-02-3

Item 3. Resolution Authorizing an Addendum to the Prosper 9-1-1 Interlocal Agreement

Christy Williams, Chief 9-1-1 Program Manager, requested Executive Board approval of a contract addendum to the 9-1-1 Interlocal Agreement with the Town of Prosper. Prosper notified NCTCOG 9-1-1 in September of 2013 that they were entering into a contract with Smart911, a third party software company that contracts directly with cities and counties to provide additional information for 9-1-1 callers who subscribe to their service and voluntarily provide the information for use in 9-1-1 calls.

In November NCTCOG 9-1-1 received a request to provide a 9-1-1 interface to the stand alone Smart911 terminal in Prosper. This request brought about questions regarding privacy and confidentiality. NCTCOG 9-1-1 staff worked with NCTCOG legal counsel and the Commission on State Emergency Communications and their attorney to address these issues. NCTCOG legal counsel recommended and CSEC agreed to the creation of an addendum to the Prosper 9-1-1 Interlocal Agreement. The addendum removes any liability for misuse of the Smart911 information from NCTCOG and CSEC.

The Addendum is to go before Prosper City Council on February 25, 2014. There is no funding request with this resolution. The request falls within CSEC rules and policies.

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

See Exhibit E14-02-4

Item 4. Resolution Accepting Bicycle and Pedestrian User Count Data Collection Equipment

Michael Morris, Director of Transportation, asked the Board to consider accepting two bicycle and pedestrian counters, valued at approximately \$10,000, from the Rail-to-Trails Conservancy, a non-profit pedestrian trail advocacy group based in Washington, DC. The Conservancy supports the development of a nationwide network of trails (using former rail lines) and desires to collect counts of bicycle and pedestrian trail users. The proposed collections would occur in twelve study areas across the country in order to gauge the utilization of trails. As detailed in a memo to the Board, NCTCOG will coordinate the installation of the counters and provide the data they gather to the Conservancy for at least a one-year period; after which, NCTCOG will retain ownership of the equipment.

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

See Exhibit E14-02-5

APPOINTMENTS:

Item 5. Appointments to the Criminal Justice Policy Development Committee (CJPDC)

Kelly Schmidt, Senior Criminal Justice Planner, asked the Board to approve seven new appointments and two officers for the Criminal Justice Policy Development Committee (CJPDC). She explained that the proposed appointments were consistent with the guidelines for the committee issued by the Criminal Justice Division of the Office of the Governor and the committee's approved Policies and Procedures. Those being recommended for appointment have been reviewed and approved by the CJPDC Nominations Subcommittee.

Officers:

Chair: Mr. Eric, Nishimoto, Public Information Officer, Collin County

Vice-Chair: Ms. Lisa, Tomlinson, Chief, Johnson-Somervell County Juvenile Services

Proposed New Members:

Mr. Joseph W. Costa, Chief of Police, City of DeSoto

Ms. Allison Harris, Grant Services Supervisor, Dallas County Juvenile Services

Mr. Brian Harvey, Chief of Police, City of Allen

Mr. Curtis Krohn, Senior Pastor, Faith Bible Church

Ms. Ellen Magnis, Chief of External Affairs, Dallas Children's Advocacy Center

Mr. Steve Smith, Captain, Hood County Sheriff's Office

Ms. Jewel West, Director of Finance and Grant Management, Hunt County Rape Crisis Center/Children's Advocacy Center

Upon a Motion by Judge Horn (seconded by Judge Self), and unanimous vote of all members present, the Board approved the proposed appointments.

STATUS REPORTS:

Item 6. Status Report on Workforce Board

David Setzer, Director of Workforce Development, briefed the Board on several issues that are impacting the Workforce Development department and the Workforce Board, including a recent visit by TWC, new Child Care program requirements, new Adult Basic Education delivery strategies, and changes in the delivery of Skills Development funding.

Item 7. Status Report on the Metropolitan Planning Organization 40th Anniversary

Michael Morris, Director of Transportation, briefed the Board on the celebration activities for the 40th anniversary of NCTCOG'S Metropolitan Planning Organization (MPO). He explained that the Transportation Department will highlight progress since 1974 throughout the year by using a specific theme each month. The promotion will use print, online resources and social media. He also presented the department's new stationary commemorating the 40th anniversary, which was developed by NCTCOG graphic artist Kristy Keener who, upon request of the Board, explained the impetus for her design.

Item 8. Status Report on Grade-Separated High Speed Rail

Using a flow chart which shows recent actions by the Texas Transportation Commission, Michael Morris, Director of Transportation, provided an update on the path to building seamless grade-separated, high speed rail from downtown Fort Worth to Houston.

Item 9. Status Report on Transportation Development Credits (Michael Morris)

Michael Morris, Director of Transportation, explained that Transportation Development Credits (TDC) are a financing tool that allows for the use of federal funds without local match dollars. Credits are earned when the State, a toll authority, or a private entity funds capital transportation investments with toll revenues. These credits are not money or cash. They do not increase funding for a given project, but can be used in lieu of a match to federal funding. The use of Transportation Development Credits is not a straight forward process and staff has held several workshops on the topic to communicate potential applications.

The Regional Transportation Council (RTC) is required to submit an annual report on TDC allocations to the Texas Transportation Commission. The FY2013 report was provided to the Board and contained the following materials: the RTC approval presentation materials; a summary of TDCs available, committed, and approved; projects with approved TDCs; and TDC Workshop Presentation Materials. The Report also included, a list of projects and the amount of MPO credits approved for each project; anticipated plans for the balance of credits; the status of projects selected with MPO credits (if applicable); and a list of additional projects to be implemented with redirected local funds (if applicable). NCTCOG and the RTC anticipate several calls for projects in 2014, which will result in additional projects with TDCs. The RTC has also requested the sale of \$100 million in Transportation Development Credits to TxDOT Headquarters.

Since the report was submitted, the RTC has continued to move forward in the process of awarding funds in five categories:

- Category 1: strategic awards to small transit providers
- Category 2: a call for projects in the "Transportation Alternatives Program"
- Category 3: a process to allocate Transportation Development Credits to entities within the region
- Category 4: initial efforts for the sale of credits to the Texas Department of Transportation
- Category 5: the restructure of regional programs/management and operations reducing a need for local cash contributions

MISCELLANEOUS:

Item 10. Old and New Business

No old or new business items were presented.

Item 11. Future Calendar and Attendance

The Board was provided with a calendar and a record of attendance for their review and information.

There being no other business, President Terrell adjourned the meeting

Approved by:

Checked by:

Stephen Terrell
President, North Central Texas Council of Governments
Mayor, City of Allen

Mike Eastland, Executive Director
North Central Texas Council of Governments

BYLAWS (REVISED) OF THE North Central Texas Council of Governments

2014 December 2009

* * * * *

INTRODUCTION

The North Central Texas Council of Governments (NCTCOG) is the regional planning commission for the 16-county Texas State Planning Region 4 comprising Collin, Dallas, Denton, Ellis, Erath, Hood, Hunt, Johnson, Kaufman, Navarro, Palo Pinto, Parker, Rockwall, Somervell, Tarrant and Wise counties. NCTCOG is a Texas political subdivision and non-profit corporation organized and operating under Texas Local Government Code Chapter 391.

STATEMENT OF PRINCIPLES AND POLICIES

1. The underlying concept of the North Central Texas Council of Governments (hereinafter referred to as the Council) is that the general purpose units of government, which are closest to the people, should exercise the basic initiative and leadership and have the primary responsibility for dealing with those problems and needs which require action on an areawide or regional basis.
2. The physical, economic, and social well-being of the region, its citizens and business enterprises, now and in the future, are dependent upon an orderly development of the entire region. This will be possible only with the successful coordination of governmental services and policies.
3. Counties and cities are the principal units of local government in the region. As such, they have the responsibility for anticipating and meeting the local governmental needs which future development will produce, including the need for joint and coordinated areawide services.
4. County and city governing bodies are, and should continue to be, the top policy makers in local government. They are directly concerned with all services and regulations affecting the public in their communities.
5. Constructive and workable policies and programs for meeting and solving the areawide problems of local government will be most effectively and expeditiously developed by regular meetings of governmental unit members in an areawide voluntary council dedicated to the solution of these problems.
6. The Council is an organization through which individual governmental units can coordinate their efforts. It is not in itself a government nor does it seek to become one.
7. The Council shall consider such matters as are areawide or regional in nature or as requested by or deemed beneficial to its member governments.

MEMBERSHIP

Section I.

Membership in the Council of Governments shall be voluntary and will be determined by passage of a resolution, the payment of dues, and shall be open to the following eligible ~~members~~entities:

- A. Any county in the North Central Texas State Planning Region as determined by the Office of the Governor, State of Texas.
- B. ~~All~~Any incorporated cities, municipalities, towns, and villages within the North Central Texas State Planning Region, as determined by the Office of the Governor, State of Texas.
- C. ~~Independent School, Hospital, Water and Sewer, and other special purpose Districts~~Any authority, district or other political subdivision of the State within the North Central Texas State Planning Region, as determined by the Office of the Governor, State of Texas.
- D. ~~Each member shall be entitled to one (1) voting representative, but may send as many delegates as desired to Council meetings. The voting representative shall be an elective public official appointed by and from the governing body of the member government.~~

GENERAL ASSEMBLY

Section II.

- A. The General Assembly ~~shall be the governing body of the Council, and shall be made up~~composed of ~~one (1) elective or appointed public official from each governmental member of the Council whose annual dues are current, the voting representatives, or their alternates, from all member governments.~~ The General Assembly shall be responsible for ~~the general policies and programs of the Council, for~~ the election of officers, directors and for amendments to ~~these~~Bylaws ~~except as otherwise provided herein.~~
- ~~B. The General Assembly shall be composed of:~~
 - ~~1. One (1) elective public official from each dues-paying participating governmental unit, as set forth in Section I.~~
- ~~C. Twenty five percent (25%) of the total number of members encompassed in Section I shall constitute a quorum at all meetings of the Assembly members of the transaction of business.~~
- ~~D. When a quorum of the~~The members present at any Assembly meeting shall constitute a quorum, and is present at any meeting, the majority vote of ~~said~~the members ~~present~~ shall decide any question-business under consideration except

Bylaws. Bylaws may be revised by an affirmative vote of seventy-five percent (75%) of the members present. (See Section XI.)

- ~~E.~~ ~~In the absence of any member of the Assembly representing a participating governmental unit, another designated member of the absent member's governing body may serve as the alternate at a meeting of the Assembly. Such alternate member shall have full voting privileges and shall be counted in the determination of a question.~~
- F.C. The General Assembly shall elect a President, Vice President, Secretary-Treasurer, and Directors ~~of the Council~~ to serve ~~in the same capacity~~ on the ~~General Assembly and~~ Executive Board.

GENERAL MEMBERSHIP (GENERAL ASSEMBLY) MEETINGS

Section III.

- A. An annual membership meeting of the General Assembly shall be held after the ~~spring~~ municipal elections for the purpose of electing Officers and Directors to the ~~General Assembly and~~ Executive Board. Additional meetings may be called by the Executive Board, as necessary. General membership meetings shall be for the purposes of amending Bylaws, electing officers, and conducting any other business which may be deemed appropriate.
- B. Written notice of the time, date and location of general membership meetings shall be served upon or mailed-transmitted to ~~each voting representative of~~ each member governmental ~~unit~~ entitled to vote thereat (at the member's physical or electronic address as it appears on the books of the Council) at least ten (10) days prior to the meeting.
- C. Special general membership meetings, for any purpose or purposes, shall be called by the President at the written request of any five (5) members of the General Assembly.
- D. Written notice of special general membership meetings, stating the time, place, and object of such meetings, and the business to be transacted, shall be served upon or mailed-transmitted to each member governmental ~~unit~~ entitled to vote thereat, at least ten (10) days before such meeting. Business transacted at all special meetings shall be confined to the objects and business to be transacted as stated in the notice.
- E. The time, date, and location of all general membership meetings shall be determined by the President as recommended by the Executive Board.

ROLE AND RESPONSIBILITIES

Section IV.

- A. The Council ~~of Governments~~ shall be concerned with the planning of the region with respect to transportation, water supply, storm water, waste water, flood management, drainage, emergency management, work force development, community services, data support services, land use, environmental protection, public facilities, conservation, and any other governmental functions beneficial to its members. ~~other aspects of urban-rural development.~~ Such Council shall be vested with full authority to perform all acts, to render all services, to initiate all studies and to make all recommendations authorized by law. ~~The Council is authorized to apply for, contract for, receive and expend for its purposes, any funds or grants from any participating governmental unit or from the State of Texas, Federal Government, or any other sources, and to contract with and receive payments for services rendered to any incorporated municipality, the State of Texas or any of its political subdivisions, or the Federal Government. The Council shall have no power to levy any character of tax whatsoever. The participating governmental units shall appropriate funds~~ pay annual dues, as determined by the Executive Board, ~~to the Council for to help offset~~ the costs and expenses required in the performance of its purpose.

The Council is empowered to make use of funds to employ staff and/or agents, rent office space, and ~~purchase furniture and supplies~~ contract for goods and services as it ~~may~~ deems necessary to expeditiously carry to completion any studies, activities and/or programs with which it may be charged.

- B. ~~In the event one or more governmental units within the region should desire the Council~~ A member government(s) may request the Council to conduct ~~a special study or administer a special study, activity or service on their behalf pertaining to a portion of the entire region, they may make application to the Executive Board by ordinance, resolution, rule, or order such request wherein they bind themselves~~ agree to pay or share in the all costs of such involved in said study. If said study, activity or service is deemed feasible by the Council, it may enter into ~~an separate contract agreement(s) with the particular member government(s) at unit and/or units any other interested parties~~ to conduct same.

EXECUTIVE BOARD

Section V.

- A. The Executive Board shall constitute the Board of Directors and be the policy development governing body of the Council for the General Assembly and between meetings of the entire membership, shall be responsible for the general policies, ~~and~~ programs ~~of the Council~~ and ~~for~~ the control of ~~the~~ funds.
- B. The Executive Board shall also be responsible for ~~preparing business for the general and special membership meetings, preparing~~ approving a work program, and ~~preparing and~~ adopting the annual budget following a public hearing of such budget.

- C. The Executive Board shall be empowered to appoint an Executive Director as the chief administrative and executive officer of the Council ~~of Governments~~ and to authorize through Board action the additional employment of such staff as necessary.
- D. The Executive Board shall be empowered to employ consultants and to ~~execute~~ authorize contracts necessary to carry out the business of the Council ~~of Governments~~.
- E. The Executive Board shall be empowered to appoint study committees, technical advisory committees, and policy development committees deemed necessary to carry out the business of the Council ~~of Governments~~.
- F. The President of the Executive Board shall ~~serve or be empowered to~~ appoint a nominating committee comprised of Past Presidents to prepare a slate of Officer and Director candidates for all offices of the Council of Governments consideration at the annual membership meeting of the General Assembly.
- ~~G. The Executive Board shall be responsible for the review and comment process in connection with coordination of federal grants in aid for local governments.~~
- H.G. The Executive Board shall meet regularly at least once each month, unless otherwise determined by its members, to conduct the continuing business of the Council.
- H. Representation on the Board shall meet the following minimum requirements at all times: Two (2) locally elected officials on the Board shall be representatives from the two (2) largest populated member Cities (one from each City), as of the last official census. Two (2) locally elected officials on the Board shall be representatives from the two (2) largest populated member Counties (one from each County), as of the last official census. One (1) locally elected official on the Board shall be from a member City with a population in excess of One Hundred Thousand (100,000), as of the last official census. Two (2) locally elected officials on the Board shall be from member Cities with populations in excess of Twenty-five Thousand (25,000), as of the last official census. One (1) locally elected official on the Board shall be from a member City with a population of less than Twenty-Five Thousand (25,000), as of the last official census. One (1) locally elected official on the Board shall be from a County with a population in excess of Three Hundred Thousand (300,000), as of the last official census. One (1) locally elected official on the Board shall be from a County with a population less than Three Hundred Thousand (300,000), as of the last official census. Two (2) locally elected officials shall be representatives without regard to population. No entity shall have more than one representative at any one time, with the exception that the Past President shall serve in a designated position on the Board and shall not be deemed to be a representative of any specific entity.
- J. The Executive Board shall be composed of the following members:
1. The Immediate Past President of the Council; ~~and~~

2. The ~~twelve (12)~~INSERT NUMBER (XX) Directors of the Council; and,-
3. One (1) ex-officio, non-voting member who is a Texas State Legislator representing a Legislative District that is located in-whole or in-part in a county holding membership in the North Central Texas Council of Governments for so long as required by State law.
- J. Each member of the Executive Board shall be entitled to one vote, with the exception of the President who will only vote in the event of a tie. Members must be in attendance to vote.
- K. The membership of the Executive Board shall always be composed of elected local government officials except as provided in I.3. above.
- L. A majority of the Executive Board members in office immediately before a meeting shall constitute a quorum for the transaction of business. No business shall be considered by the Board at any meeting at which a quorum is not present. There shall always be thirteen (13) members on the Board. Vacancies occurring on the Board shall be filled by appointment by the remaining members of the Board.
- M. Should a vacancy occur in the Officers or Directors of the Executive Board in the Officers of the Council or General Assembly, a successor shall be appointed by the Executive remaining members of the Board to fill the unexpired term and in accordance with Section V. 4H.
- N. The Executive Board shall establish an Ethics Policy, consistent with State law related to Metropolitan Planning Organizations, that which is applicable to board Board members and employees.

DIRECTOR AND OFFICER LIABILITY AND INDEMNIFICATION

Section VI.

- A. No Director or Officer of the Council shall be personally liable to the Council or any other person for an action taken or omission made by the Director or Officer in such person's capacity as a Director or Officer unless a Director's or Officer's conduct was not exercised (1) in good faith, (2) with ordinary care, and (3) in a manner the Director or Officer reasonably believed to be in the best interest of the Council.
- B. The Council shall indemnify a Director or Officer for necessary expenses and costs, including attorney's fees, judgments, fines and amounts reasonably paid in settlement, incurred by the Director or Officer in connection with any claim asserted against the Director or Officer in their respective capacity as a Director or Officer so long as the Director's or Officer's conduct was exercised (1) in good faith, (2) with ordinary care, and (3) in a manner the Director or Officer reasonably believed to be in the best interest of the Council.

WAIVER OF NOTICE

Section VII.

Whenever any notice is required to be given under the provisions of the Bylaws to any member, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent thereto.

ADVISORY GROUPS

Section VIII.

- A. It is the intent of this organization that the Council shall, when advisable, seek the advice and cooperation of interested citizen groups in the formulation of recommendations and to establish the priority of projects for consideration.
- B. The Council may recommend to the Executive Board the establishment of such citizen and/or technical advisory committees as may be necessary to effectively carry out the business of the Council ~~of Governments.~~

FORMATION OF A NON-PROFIT CORPORATION

~~Section VIII.~~

~~A non-profit corporation is to be formed to implement all provisions of these Bylaws.~~

FINANCES

Section IX.

All checks or demands for money and notes of the corporation shall be signed by such officer or officers, or such persons as the Executive Board may from time to time designate.

ELECTIONS AND OFFICERS' TERMS

Section X.

~~Election of Officers and Directors to the Executive Board will be conducted at the annual membership meeting of the General Assembly. The elected Officers and Directors of the Council shall hold office for one year, said term to begin after the immediately following the aforementioned Annual Spring meeting of the Council of Governments. Election of Officers will be held, unless otherwise determined by the Executive Board, at the Annual Spring meeting. The Officers and Directors will and continue to serve in their respective positions through the next annual membership meeting or until such time as a replacement has been duly elected in accordance with Section V. M.~~

AMENDMENTS TO THE BYLAWS

Section XI-

These Bylaws may be altered, amended, or added to by written ballots from the members or by action of the General Assembly or Executive Board, provided:

- A. Proposed changes shall contain a full statement of the proposed amendment or amendments.
- B. The enactment of the amendment by written ballots shall require a majority vote of the general membership city and county member governments.
- C. The enactment of amendments at the General Assembly shall require an affirmative vote of seventy-five percent (75%) of the members present at the General Assembly and shall be submitted in writing to the Executive Board at least sixty (60) days prior to the General Assembly.
- D. The enactment of amendments by the Executive Board shall require a majority vote and shall be limited to only those changes necessary to conform the Bylaws to State law. Any such changes by the Executive Board shall be transmitted in writing to all member governments within thirty (30) days of enactment.

BUDGETS AND PAYMENTS

Section XII.

- A. The fiscal year of the organization shall begin on the first day of October in each year.
- B. The annual budget, including the dues structure, for the organization shall be prepared, ~~approved, and adopted by~~ and submitted to the Executive Board for approval and adoption on or before the last day of September of each year, after a public hearing thereon.
- ~~C.~~ ~~Prior to the adoption of the annual budget, dues for all participating governmental units shall be fixed by the Executive Board. Dues shall be in amounts sufficient to provide funds as required by the budget. Any member governmental unit whose annual dues have not been paid by the date of any general membership meeting shall not officially participate in any meeting until such dues are paid in full.~~
- CD. New members may join the Council upon the pro-rated payment of dues for the remaining portion of the current fiscal year.
- DE. The annual dues for city and county member governments ~~and units~~ shall be established in accordance with current population of such member governments ~~and units~~ as certified annually by the Council. All other member governments shall pay annual dues as established by the Executive Board.

EF. The books of the Council shall be audited annually by a certified public accountant or accountants, and the audit report shall be ~~made to~~approved by the Executive Board and be available no later than ~~three-six~~ (36) months after the close of the fiscal year.

DRAFT

North Central Texas Council of Governments

Current Executive Board by Population Category

OFFICERS

President	Steve Terrell
Vice-President	Kathryn Wilemon (As of Dec. 2013)
Secretary/Treasurer	John Horn (As of Dec. 2013)
Past President	* Bobbie Mitchell, Denton

DIRECTORS

Counties

Largest (Appointed by Dallas County)	Clay Jenkins
2 nd Largest (Appointed by Tarrant County)	Glen Whitley
300,000 +	Keith Self, Collin (2013)
300,000 -	John Horn, Hunt (Dec. 2013)

Cities

Largest (Appointed by City of Dallas)	Vonciel Jones Hill
2 nd Largest (Appointed by City of Fort Worth)	Danny Scarth
100,000 +	Lissa Smith, Plano (2012)
25,000 +	Steve Terrell, Allen (2009)
25,000 +	Marcus Knight, Lancaster (2012)
25,000 -	A. J. Mathieu, Joshua (2012)

Any Government

	Larry Marshall, Benbrook (2013)
	Kathryn Wilemon, Arlington (2011)

* Past President does not fill a designated seat

Sample Options for Expanding NCTCOG Executive Board Seats

OPTION 1

Population category 2013 estimates	Number / Total Population	Annual Dues 2014	Recommended Seat(s)
<u>COUNTIES</u>			
1. >650,000	4 / 5,764,860	\$57,649	4
2. 75,000 - 650,000	6 / 705,540	\$7,056	1
3. <75,000	6 / 241,860	\$2,531	1
TOTAL COUNTY	16 / 6,712,260	\$67,236	6
<u>CITIES</u>			
1. >350,000	3 / 2,350,480	\$235,048	3
2. 200,000 - 350,000	3 / 714,780	\$71,478	1
3. 120,000 - 200,000	5 / 710,640	\$71,064	1
4. 50,000 - 120,000	9 / 699,590	\$69,959	1
5. 25,000 - 50,000	21 / 781,890	\$74,377	1
6. <25,000	124 / 773,960	\$70,650	1
TOTAL CITY	165 / 6,031,340	\$592,576	8
<u>STANDING MEMBERS</u>			
Past President			1
State Legislator Ex-Officio (Non-Voting)			1
TOTAL BOARD			16

Sample Options for Expanding NCTCOG Executive Board Seats

OPTION 2

Population category 2013 estimates	Number / Total Population	Annual Dues 2014	Recommended Seat(s)
<u>COUNTIES</u>			
1. >650,000	4 / 5,764,860	\$57,649	4
2. 75,000 - 650,000	6 / 705,540	\$7,056	1
3. <75,000	6 / 241,860	\$2,531	1
TOTAL COUNTY	16 / 6,712,260	\$67,236	6
<u>CITIES</u>			
1. >350,000	3 / 2,350,480	\$235,048	3
2. 100,000 - 350,000	10 / 1,643,460	\$164,346	1
3. 50,000 - 100,000	7 / 481,550	\$48,155	1
4. 25,000 - 50,000	21 / 781,890	\$74,377	2
5. <25,000	124 / 773,960	\$70,650	2
TOTAL CITY	165 / 6,031,340	\$592,576	9
<u>STANDING MEMBERS</u>			
Past President			1
State Legislator Ex-Officio (Non-Voting)			1
TOTAL BOARD			17

Sample Options for Expanding NCTCOG Executive Board Seats

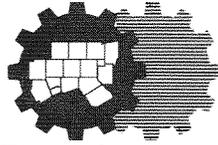
OPTION 3

Population category 2013 estimates	Number / Total Population	Annual Dues 2014	Recommended Seat(s)
<u>COUNTIES</u>			
1. >650,000	4 / 5,764,860	\$57,649	4
2. 75,000 - 650,000	6 / 705,540	\$7,056	1
3. <75,000	6 / 241,860	\$2,531	1
TOTAL COUNTY	16 / 6,712,260	\$67,236	6
<u>CITIES</u>			
1. >350,000	3 / 2,350,480	\$235,048	3
2. 200,000 - 350,000	3 / 714,780	\$71,478	1
3. 100,000 - 200,000	7 / 928,680	\$92,868	1
4. 50,000 - 100,000	7 / 481,550	\$48,155	1
5. 20,000 - 50,000	29 / 982,820	\$93,994	1 / 2
6. <20,000	116 / 573,030	\$51,033	1 / 2
TOTAL CITY	165 / 6,031,340	\$592,576	8 / 10
<u>STANDING MEMBERS</u>			
Past President			1
State Legislator Ex-Officio (Non-Voting)			1
TOTAL BOARD			16 / 18

Local Government Annual Dues:

Dues for cities with populations under 2,000, school districts, and special districts are \$100 per year. Dues for cities between 2,000 and 5,000 in population are \$200 per year. Dues for cities over 5,000 in population are assessed on the basis of \$0.10 per capita in Dallas, Tarrant, Denton, and Collin Counties and \$0.08 per capita in the remaining counties. All counties are assessed on \$0.01 per capita (with a \$200 minimum).

March 27, 2014 – Item 2



North Central Texas Council of Governments

TO: Mike Eastland
Executive Director

DATE: March 20, 2014

FROM: Doni Green
Chief Aging Program Officer

SUBJECT: Resolution Authorizing Approval of Aging Area Plan

The Older Americans Act of 1965, as amended, requires Area Agencies on Aging to develop multi-year area plans for their service area, through which they provide, administer, and coordinate health and social services for persons age 60 and over, and their family caregivers. The Texas Department of Aging and Disability Services (DADS) requires that the Area Agencies on Aging develop two-year plans, which are to be reviewed and approved by the governing body of the grantee agency.

The North Central Texas Area Agency on Aging (NCTAAA) has completed its two-year plan to reflect the needs of older persons and their family caregivers in the 14 counties surrounding Dallas and Tarrant Counties. The Regional Aging Advisory Committee has reviewed and approved the 99-page Plan at its March 10 meeting. The Committee recommends it for favorable consideration by the Executive Board.

For the convenience of Board members I have prepared an executive summary. I am also providing a copy of the full plan as an attachment to the agenda.

Should you or the Board have any questions, I will be present at the March 27th Board meeting.

Thank you.

**616 Six Flags Drive, Centerpoint Two
P.O. Box 5888, Arlington, Texas 76005-5888
(817) 640-3300 FAX: 817-608-2372
www.nctcog.org**

RESOLUTION AUTHORIZING APPROVAL OF AGING AREA PLAN

WHEREAS, NCTCOG'S is a grantee agency of the Texas Department of Aging and Disability Services (DADS); and,

WHEREAS, DADS requires the NCTCOG's Area Agency on Aging (NCTAAA) to develop a two-year plan for funding, delivery, administration and coordination of health and human services for older adults and their family caregivers who live in the 14-county planning area; and,

WHEREAS, the AAA has so developed a two-year area plan according to DADS guidelines; and,

WHEREAS, the Regional Aging Advisory Committee has approved the Plan and recommends Plan approval by NCTCOG's Executive Board; and

WHEREAS, NCTCOG's Executive Board has reviewed the area plan.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

- Section 1.** The North Central Texas Council of Governments Executive Board approves the AAA's area plan.
- Section 2.** The Executive Director is authorized to file the plan with DADS.
- Section 3.** This resolution shall be in effect immediately upon its adoption.

Stephen Terrell, President
North Central Texas Council of Governments
Mayor, City of Allen

I hereby certify that this resolution was adopted by the Executive Board of the North Central Texas Council of Governments on March 27, 2014.

John Horn, Secretary-Treasurer
North Central Texas Council of Governments
County Judge, Hunt County

North Central Texas Council of Governments Area Agency on Aging

Area Plan FY 2015 - 2016

Executive Summary

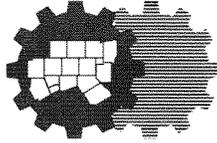
Between 2014 and 2024, the number of North Central Texans age 60 and over is projected to swell from 398,327 to 767,096—a stunning growth rate of 81.05%. Even more dramatic growth will occur among North Central residents age 85 and over (or the “oldest old”), with a doubling of this age group within the same timeframe. Nationwide, the oldest old are high users of long-term services and supports, with 81% unable to perform one or more activities of daily living without assistance, nearly half evidencing dementia, and 22% requiring nursing home care.

Dramatic growth in the number and percentage of older persons is challenging the North Central Texas Area Agency on Aging (NCT-AAA) and its member governments to fully respond to the needs of its residents. With an aging population comes a number of challenges (e.g., increasing dependency ratios, greater demand for healthcare services—both general and specialized, accessible housing, para-transit, and long-term services and supports).

Compounding such challenges are reductions in federal funding due to Sequestration. If the NCTAAA is to avoid reductions in service levels, it must find new funding streams beyond Title III of the Older Americans Act. It must also move from a cost-reimbursement grant mentality to social entrepreneurship, emphasizing its focus on mission rather than profit, and demonstrating its ability to provide cost-effective services that preserve wellness and promote independence.

On the basis of the NCT-AAA's needs assessment, it has established the following strategic priorities for Fiscal Years 2015 and 2016: 1) apply for new funding sources to prevent diminution of service levels; 2) place greater emphasis on evidence-based programs, to more clearly determine program outcomes and return on investment; 3) increase knowledge of federal, state, and local resources for younger adults and children with disabilities, to serve as a comprehensive source of information about long-term services and supports; 4) conduct targeted recruitment of volunteers to serve as health coaches and certified ombudsmen assigned to assisted living facilities; and 4) concentrate on recruitment of multi-lingual volunteers who can assist with outreach and service to minority older adults who do not speak English.

January 27, 2014 – Item 3



North Central Texas Council of Governments

TO: Mike Eastland
Executive Director

DATE: January 20, 2014

FROM: Doni Green
Chief Aging Program Officer

SUBJECT: Resolution Authorizing Addition of Two Part-Time Employees for Aging Program

Since 2008 NCTCOG has served as the lead agency for an aging and disability resource center (ADRC), funded through a competitive procurement process by the Texas Department of Aging and Disability Services (DADS). The North Central Texas Aging and Disability Resource Center is staffed by NCTCOG's Aging Program and has been serving four counties—Collin, Denton, Hood, and Somervell. It assists persons of all ages who have disabilities in accessing long-term services and supports.

DADS is taking ADRC services statewide and requiring Aging to serve people of all ages, in all 14 counties in its service area, including Ellis, Erath, Hunt, Johnson, Kaufman, Navarro, Palo Pinto, Parker, Rockwall, and Wise. As such, Aging staff will need to respond to phone and internet queries and provide face-to-face assistance as resources allow.

Aging wishes to add two new part-time case managers in order to serve the entirety of the service area. Annualized salary expenses are approximately \$40,000 for both positions combined. DADS has awarded Aging approximately \$100,000 per annum to support expansion efforts.

Should you or the Board have any questions, I will be present at the March 27 meeting.

Thank you.

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(817) 640-3300 FAX: 817-608-2372
www.nctcog.org**

**RESOLUTION AUTHORIZING ADDITION OF TWO PART-TIME EMPLOYEES
FOR AGING PROGRAM**

WHEREAS, NCTCOG'S is a grantee agency of the Texas Department of Aging and Disability Services (DADS); and,

WHEREAS, DADS funds NCTCOG's Aging Program to provide Aging and Disability Resource Center (ADRC) services in four counties, consisting of Collin, Denton, Hood, and Somervell; and,

WHEREAS, DADS intends to make ADRC services available statewide; and,

WHEREAS, the AAA does not have sufficient staff to provide ADRC services in 14 counties; and

WHEREAS, the AAA does have sufficient funds to add a new full-time position.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

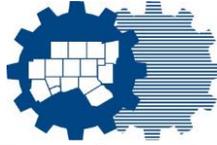
Section 1. The North Central Texas Council of Governments Executive Board authorizes the Aging Program to add two .5 FTEs to serve as Case Managers, at Grade 10, at a combined salary cost not to exceed \$43,256 per annum.

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

Stephen Terrell, President
North Central Texas Council of Governments
Mayor, City of Allen

I hereby certify that this resolution was adopted by the Executive Board of the North Central Texas Council of Governments on January 27, 2014.

John Horn, Secretary-Treasurer
North Central Texas Council of Governments
County Judge, Hunt County



North Central Texas Council of Governments

TO: Mike Eastland
Executive Director

DATE: March 20, 2014

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

SUBJECT: Resolution Authorizing a Contract with a Consultant to Provide
Ongoing Support and Annual Enrollment Assistance for PEBC

The Public Employee Benefits Cooperative (PEBC) currently provides for the joint purchase of employee benefits and cost-effective, centralized administrative services for these benefits packages to Dallas County, Denton County, Parker County, The North Texas Tollway Authority and Tarrant County affecting over 28,000 current employees and retirees. In 1999, PEBC was moved to the North Central Texas Council of Governments (NCTCOG) recognizing that NCTCOG's mission coincides precisely with the type of collaborative service that PEBC provides to regional entities. A portion of NCTCOG's responsibilities associated with that move, which reside with the Research and Information Services Department, are to support, maintain and enhance the application that is used by PEBC staff to provide services to their customers. This application currently consists of over 103,000 records related to health insurance for the 28,000 individuals covered. The purpose of this engagement is to augment existing RIS staff with expertise specific to this highly customized application. This engagement will leverage the Consultant's knowledge of the system to assist RIS through the end of the year with maintaining and advancing the PEBC system. This engagement will not exceed \$50,000 for the Consultant to provide troubleshooting and support services through December 2014 and development assistance during the open enrollment process starting in September. NCTCOG Staff will be available at the Executive Board meeting to discuss the project.

RESOLUTION AUTHORIZING A CONTRACT WITH A CONSULTANT TO PROVIDE ONGOING SUPPORT AND ANNUAL ENROLLMENT ASSISTANCE FOR PEBC

WHEREAS, the Executive Board is the governing body of the North Central Council of Governments (NCTCOG); and

WHEREAS, the Executive Board has approved the Resolution Authorizing a Contract with a Consultant to Provide Ongoing Support and Annual Enrollment Assistance for PEBC

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

NOW, THEREFORE, BE IT HEREBY RESOLVED:

Section 1: The NCTCOG Executive Board approves the contract to provide ongoing support and annual enrollment assistance for PEBC in an amount not to exceed \$50,000.

Section 2: That this resolution shall be in effect immediately upon its adoption.

Stephen Terrell, President
North Central Texas Council of Governments
Mayor, City of Allen

I hereby certify that this resolution was adopted by the Executive Board of the North Central Texas Council of Governments on March 27, 2014.

John Horn, Secretary-Treasurer
North Central Texas Council of Governments
County Judge, Hunt County



North Central Texas Council of Governments

TO: Mike Eastland
Executive Director

FROM: David K. Setzer
Director of Workforce Development

DATE: March 19, 2014

SUBJECT: Resolution Approving the Renewal of the Facility Lease for the Terrell Workforce Facility

The current Terrell Workforce facility is located at 109 Tejas Drive, Suite 300 and contains 4,389 square feet at a price of \$12.75 per square foot (excluding taxes, insurance, common area maintenance, utilities, and janitorial). Its current lease term ends March 31, 2014.

The landlord, 3-J Partners, LTD, agreed to a five (5) year extension at a price not to exceed \$15.50 per square foot (excluding taxes, insurance, common area maintenance, utilities, and janitorial). The proposed rent rate includes the following tenant improvements:

- New carpet
- Construction of additional storage closet
- Demolition of specific interior wall necessary to create more open work environment.
- Remove shelving and wall paper attached to specific interior wall and repaint.

Our real estate broker, Avison Young, has performed a current market survey of other comparable properties (Please see Attachment 1) and discovered that the proposed rate for this facility is within the market price for that surrounding area.

The board staff believes that this is still an optimum location for our workforce center due to the following:

- Pricing-Within market range of the Terrell area.
- Close proximity to major roads and thoroughfares-Within approximately one (1) mile of I-20.
- Adequate parking-9.0 parking spaces per 1,000 square feet are available (4 spaces per 1,000 square feet is considered adequate parking for most commercial buildings).
- Square Footage-4,389 square feet is currently determined as sufficient space for this center.

Questions may be referred to me.

A handwritten signature in black ink, appearing to read 'David K. Setzer'.

David K. Setzer, CPSM, C.P.M., CWE



North Central Texas Council of Governments
Workforce Solutions-Terrell, TX
Available Properties



ATTACHMENT I

Comparison Chart

Building Name	Building Address	SF Complex	Proposed SF	Quoted Rental Rate (\$/SF)	Rental Rate Type	Gross Rate (\$/SF)	TI Offered (\$/SF)
Town West Shopping Center	1446 W. Moore Terrell, TX	6,000	4,483	\$18.00	NNN (\$5.85)	\$23.85	\$10.00
Terrell Corners Shopping Center, Bldg 1	101 Hwy 80 Terrell, TX	23,050	4,500 +/-	\$16.00	NNN (\$5.00)	\$21.00	\$0.00
109 Tejas Drive (Current Location)	109 Tejas Dr. Terrell, TX	8,750	4,389	\$15.50	NNN(\$3.90)	\$19.40	\$2.50
709-713 West Broad Street	709-713 W. Broad St Forney, TX	29,331	6,300	\$16.00	IG	\$16.00	\$0.00
Terrell Square	628-654 N. Rockwall Terrell, TX	30,609	5,000	\$10.00	NNN(\$2.00)	\$12.00	\$5.00

RESOLUTION APPROVING THE RENEWAL OF THE FACILITY LEASE FOR THE TERRELL WORKFORCE FACILITY

WHEREAS, the current Terrell workforce center is located at 109 Tejas Drive, Suite 300, is owned by 3-J Partners, LTD, contains 4,389 square feet of space, and has a price of \$12.75 per square foot; and

WHEREAS, the current facility's lease term ends March 31, 2014; and

WHEREAS, the landlord, 3-J Partners, LTD, agreed to a five (5) year extension at a price not to exceed \$15.50 per square foot (excluding taxes, insurance, common area maintenance, utilities, and janitorial). The proposed rent rate includes the following tenant improvements:

- New carpet
- Construction of additional storage closet
- Demolition of specific interior wall necessary to create more open work environment.
- Remove shelving and wall paper attached to specific interior wall and repaint; and

WHEREAS, due to favorable pricing, it's close proximity to major roads, adequate parking, and sufficient square footage; a five (5) year renewal is recommended for the current location;

NOW, THEREFORE, BE IT HEREBY RESOLVED:

Section 1: That the North Central Texas Council of Governments approves to enter into a sixty (60) month lease with 3-J Partners, LTD for the property located at 109 Tejas Drive, Suite 300, in Terrell Texas. The lease will be effective April 1, 2014, include 4,389 square feet, and a price per square foot not to exceed a rate of \$15.50 (excluding taxes, insurance, utilities, janitorial, and common area maintenance).

Section 2: That NCTCOG's Executive Director is authorized to execute the lease with CPSC Limited Partnership.

Section 3: That this resolution goes into effect immediately upon its adoption.

Stephen Terrell, President
North Central Texas Council of Governments
Mayor, City of Allen

I hereby certify that this resolution was adopted by the Executive Board of the North Central Texas Council of Governments on March 27, 2014.

John Horn, Secretary-Treasurer
North Central Texas Council of Governments
County Judge, Hunt County



North Central Texas Council of Governments

TO: Mike Eastland
Executive Director

FROM: David K. Setzer
Director of Workforce Development

DATE: March 19, 2014

SUBJECT: Resolution Approving the Termination of the Facility Lease for the Rockwall Workforce Center

The North Central Texas Workforce Development Board is proposing the closure of the Rockwall Workforce Center, currently located at 102 South 1st Street, Rockwall, Texas, in order to address an emerging need to partner with the Tarrant County Workforce Board for a joint workforce center near the Denton-Tarrant County line.

This change is being considered for the following reasons:

- Emerging need to address the exploding employer base in Southern Denton County
- Projected loss of existing Rockwall lease space in June 2015
- Lower demand for service in Rockwall County
- Close proximity for Rockwall County employers and program participants to migrate to the Plano, Greenville or Terrell centers for service
- Impact of transition of service will be mitigated through use of the Mobile Workforce Unit on site in Rockwall County for six months

The North Central Texas Workforce Development Board has been informed that all notifications of such closure have been either made or shall be timely made in accordance with state and federal law, including notifying the Texas Workforce Commission, elected officials and staff of the workforce centers.

Questions may be referred to me.

A handwritten signature in black ink, appearing to read 'David K. Setzer', written over a horizontal line.

David K. Setzer, C.F.M., CWE

**RESOLUTION APPROVING THE TERMINATION OF THE FACILITY LEASE FOR
THE ROCKWALL WORKFORCE CENTER**

WHEREAS, the current Rockwall Workforce Center is located at 102 South 1st Street, Rockwall, Texas; and

WHEREAS, the North Central Texas Workforce Development Board is proposing the closure of the Rockwall Workforce Center in order to address an emerging need to partner with the Tarrant County Workforce Board for a joint workforce center near the Denton-Tarrant County line; and

WHEREAS, this change is being considered for the following reasons:

- Emerging need to address the exploding employer base in Southern Denton County
- Projected loss of existing Rockwall lease space in June 2015
- Lower demand for service in Rockwall County
- Close proximity for Rockwall County employers and program participants to migrate to the Plano, Greenville or Terrell centers for service
- Impact of transition of service will be mitigated through use of the Mobile Workforce Unit on site in Rockwall County for six months; and

WHEREAS, the North Central Texas Workforce Development Board has been informed that all notifications of such closure have been either made or shall be timely made in accordance with state and federal law, including notifying the Texas Workforce Commission, elected officials and staff of the workforce centers;

NOW, THEREFORE, BE IT HEREBY RESOLVED:

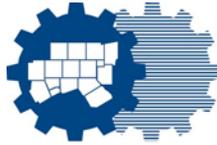
Section 1: The North Central Texas Council of Governments approves the closure of the Rockwall Workforce Center, located at 102 South 1st Street, Rockwall, Texas.

Section 2: That this resolution goes into effect immediately upon its adoption.

Stephen Terrell, President
North Central Texas Council of Governments
Mayor, City of Allen

I hereby certify that this resolution was adopted by the Executive Board of the North Central Texas Council of Governments on March 27, 2014.

John Horn, Secretary-Treasurer
North Central Texas Council of Governments
County Judge, Hunt County



North Central Texas Council of Governments

TO: Mike Eastland
Executive Director

DATE: March 20, 2014

FROM: Michael Morris, P.E.
Director of Transportation

SUBJECT: Resolution Authorizing Submittal of Grant Application and Authorization to Receive Funding from the Federal Highway Administration for Development of Analytical Products

The Federal Highway Administration (FHWA) has announced a Broad Agency Announcement (BAA) soliciting proposals for research and development projects that could lead to innovative changes and revolutionary advances for transportation planning in the United States. The FHWA has budgeted approximately \$1,500,000 for fiscal year 2014 to fund this research announcement. The objective of this BAA is to advance the practice and application of transportation planning among State, metropolitan, regional, local, and Tribal transportation planning governments in response to significant changes in the planning process and to identify new tools, techniques, and approaches that respond to national transportation planning priorities.

Staff requests authorization to submit a grant application and receive funding from the Federal Highway Administration. If awarded, NCTCOG anticipates utilizing the funds to develop analytical tools, data products, and behavioral models that can be used in transportation forecasting, planning, management, and funding allocation of projects.

Executive Board approval will be requested for authorization to submit a grant application for this opportunity and, if awarded, receive funding of approximately \$500,000 (\$400,000 FHWA + \$100,000 RTC local match). I will provide a brief presentation of this item and will be available to answer any questions prior to requesting Board approval.

EB:tmb
Attachment

**RESOLUTION AUTHORIZING SUBMITTAL OF GRANT APPLICATION AND AUTHORIZATION
TO RECEIVE FUNDING FROM THE FEDERAL HIGHWAY ADMINISTRATION FOR DEVELOPMENT
OF ANALYTICAL PRODUCTS**

WHEREAS, the North Central Texas Council of Governments (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 Fiscal Year (FY) 2014 and FY2015 Unified Planning Work Program Element 2.01 provides for travel forecasting, data collection, and travel demand modeling activities; and,

WHEREAS, the Federal Highway Administration has funding available for transportation planning activities, including development of analytical tools, data products, and behavioral models that can be used in transportation forecasting, planning, management and funding allocation of projects.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

- Section 1.** The Executive Board approves the submittal of a grant application to the Federal Highway Administration for development of analytical products.
- Section 2.** NCTCOG is authorized to receive approximately \$400,000 from the Federal Highway Administration matched with \$100,000 RTC local, if awarded.
- Section 3.** These funds will be incorporated into the FY2014 budget as appropriate.
- Section 4.** The Executive Director or designee is authorized to execute necessary agreements to carry out this program; including agreements for receipt of local match funds.

Stephen Terrell, President
North Central Texas Council of Governments
Mayor, City of Allen

I hereby certify that this resolution was adopted by the Executive Board of the North Central Texas Council of Governments on March 27, 2014.

John Horn, Secretary-Treasurer
North Central Texas Council of Governments
County Judge, Hunt County



North Central Texas Council of Governments

TO: Mike Eastland
Executive Director

DATE: March 20, 2014

FROM: Michael Morris, P.E.
Director of Transportation

SUBJECT: Resolution Authorizing a Consultant Contract with Kimley-Horn and Associates, Inc., to Implement the Regional Traffic Signal Retiming Program

On September 6, 2013, the North Central Texas Council of Governments (NCTCOG) issued a Request for Proposals (RFP) to solicit consultant assistance for the Regional Traffic Signal Retiming Program. Four firms submitted proposals in response to the RFP. The Consultant Selection Committee met on October 25, 2013 to review and evaluate the proposals. The Consultant Selection Committee recommended the proposal from Kimley-Horn and Associates, Inc., for this project. NCTCOG has confirmed the proposal from Kimley-Horn and Associates, Inc., is in compliance with the North Central Texas Council of Governments Disadvantaged Business Enterprise Program and is committed to an affirmative program that meets all applicable federal, State, and local laws.

The goal of the Regional Traffic Signal Retiming Program is to maximize the capacity of the existing roadway system by improving traffic operations through signal retiming along selected corridors. It is anticipated this program will continue to reduce mobile source emissions. The consultant will establish a baseline analysis, implement signal retiming, perform subsequent analysis (improved conditions) and prepare an executive summary of the program for signalized intersections across judicial boundaries. A Project Review Committee (PRC) was formed and completed the identification of criteria for corridor selection. On December 3, 2013, NCTCOG issued a Call for Projects to local agencies for a list of prioritized corridors to be considered for implementation under this program. The PRC will meet to finalize corridor selection in spring 2014. NCTCOG staff will then begin contracting with local agencies and collecting local match. The consultant will not be authorized to proceed in each corridor until corresponding local match has been identified.

A draft resolution authorizing a consultant contract with Kimley-Horn and Associates, Inc., to Implement a Regional Traffic Signal Retiming Program (RTSRP), in an amount not to exceed \$2,700,000 is attached for Executive Board consideration. The source of revenue is Congestion Mitigation and Air Quality Improvement Program funds. I will provide a brief presentation of this item and will be available to answer any questions prior to requesting Board approval.

MT:tmb
Attachment

**616 Six Flags Drive, Centerpoint Two
P.O. Box 5888, Arlington, Texas 76005-5888
(817) 640-3300 FAX: 817-608-2372
www.nctcog.org**

**RESOLUTION AUTHORIZING A CONSULTANT CONTRACT WITH
KIMLEY-HORN AND ASSOCIATES, INC., TO IMPLEMENT THE
REGIONAL TRAFFIC SIGNAL RETIMING PROGRAM**

WHEREAS, the North Central Texas Council of Governments (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 Regional Transportation Council is committed to the development and implementation of policies, projects, and programs to improve air quality and reduce emissions; and,

WHEREAS, in June 2012, the NCTCOG Executive Board adopted a resolution authorizing the receipt of Surface Transportation Program-Metropolitan Mobility (STP-MM), Congestion Mitigation and Air Quality Improvement Program (CMAQ), Regional Toll Revenue (RTR) and associated local match funds for planning and implementation programs to be administered and managed by NCTCOG; and,

WHEREAS, the Fiscal Year (FY) 2014 and FY 2015 Unified Planning Work Program Element 5.06 provides for consultant assistance to implement the Regional Traffic Signal Retiming Program; and,

WHEREAS, on September 6, 2013, NCTCOG initiated a Request for Proposals to secure consultant assistance for the Regional Traffic Signal Retiming Program efforts; and,

WHEREAS, Kimley-Horn and Associates, Inc., has been recommended by the Consultant Selection Committee to implement the Regional Traffic Signal Retiming Program for NCTCOG; and,

WHEREAS, NCTCOG has complied with federal and State regulations regarding contract and procurement proceedings.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

- Section 1.** A contract between NCTCOG and Kimley-Horn and Associates, Inc., to implement a Regional Traffic Signal Retiming Program in an amount not to exceed \$2,700,000 be and is hereby approved.
- Section 2.** The Executive Director is authorized to receive funds from local governments that have been selected for the program.
- Section 3.** The Executive Director or designee of NCTCOG is authorized to execute a contract with Kimley-Horn and Associates, Inc., in the name of the North Central Texas Council of Governments.
- Section 4.** This resolution shall be in effect immediately upon its adoption.

Stephen Terrell, President
North Central Texas Council of Governments
Mayor, City of Allen

I hereby certify that this resolution was adopted by the Executive Board of the North Central Texas Council of Governments on March 27, 2014.

John Horn, Secretary-Treasurer
North Central Texas Council of Governments
County Judge, Hunt County



March 27, 2014 – Item 10

North Central Texas Council of Governments

TO: Mike Eastland
Executive Director

DATE: March 20, 2014

FROM: Michael Morris, P.E.
Director of Transportation

SUBJECT: Resolution Endorsing the Regional Transportation Council November 4, 2014,
Constitutional Amendment Position Statement

Senate Joint Resolution 1, approved by the 83rd Legislature at the 3rd Called Session, proposes a constitutional amendment that will appear on the November 4, 2014, ballot for voter approval. The proposed amendment would result in an estimated \$1.4 billion per year for the state highway fund. Although this would not fully fund the state's overall transportation needs, it would be a key step toward securing critical funding for transportation projects in Texas.

In advance of this election, the Regional Transportation Council adopted a position statement expressing support for the proposed constitutional amendment. The position statement is attached to the resolution. I will request Executive Board endorsement of the Regional Transportation Council position statement.

RH:jh
Attachment

**RESOLUTION ENDORSING THE REGIONAL TRANSPORTATION COUNCIL
NOVEMBER 4, 2014, CONSTITUTIONAL AMENDMENT POSITION STATEMENT**

WHEREAS, the North Central Texas Council of Governments (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 the North Central Texas Council of Governments and has been and continues to be a forum for cooperative decisions on transportation; and,

WHEREAS, the Regional Transportation Council has adopted a position statement endorsing the proposed Constitutional Amendment for Transportation Funding.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

Section 1. The NCTCOG Executive Board endorses the Regional Transportation Council November 4, 2014, Constitutional Amendment Position Statement (Attachment 1).

Section 2. The NCTCOG Transportation Director and staff are permitted to communicate these positions on behalf of the Regional Transportation Council and NCTCOG Executive Board.

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

Steve Terrell, President
North Central Texas Council of Governments
Mayor, City of Allen

I hereby certify that the Executive Board of the North Central Texas Council of Governments adopted this resolution on March 27, 2014.

John Horn, Secretary-Treasurer
North Central Texas Council of Governments
County Judge, Hunt County

November 4, 2014 Constitutional Amendment Election Position Statement

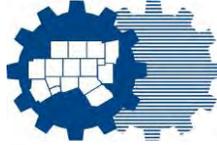
SJR 1, approved by the 83rd Legislature at the 3rd Called Session, proposes a constitutional amendment that will appear on the November 4, 2014, ballot for voter approval.

Constitutional Amendment for Transportation Funding

The constitutional amendment providing for the use and dedication of certain money transferred to the state highway fund to assist in the completion of transportation construction, maintenance and rehabilitation projects, not to include toll roads.

The Regional Transportation Council **supports** the proposed constitutional amendment to address transportation funding in Texas. If approved, the amendment would require the Comptroller of Public Accounts to deposit one-half of the amount of oil and gas production tax revenue that exceeds certain amounts already allocated by law into the state highway fund for the sole purpose of constructing, maintaining and acquiring rights-of-way for public roadways other than toll roads.

The proposed amendment would result in an estimated \$1.4 billion per year for the state highway fund. Although this would not fully fund the state's overall transportation needs, it would be a key step toward securing critical funding for transportation projects in Texas.



March 27, 2014 – Item 11

North Central Texas Council of Governments

TO: Mike Eastland
Executive Director

DATE: March 20, 2014

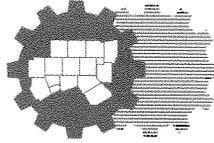
FROM: Michael Morris, P.E.
Director of Transportation

SUBJECT: Status Report on the Federal Transit Administration Review of the North Central Texas Council of Governments' Title VI Program

On May 23, 2013, the Executive Board approved the North Central Texas Council of Governments' (NCTCOG) Title VI Program. This program documents how the agency complies with requirements to ensure nondiscrimination based on race, color, national origin, religion, sex, age, or disability. NCTCOG submitted the Title VI Program to the Federal Transit Administration (FTA) last year and has recently received the results of the FTA's review.

Staff will brief the Executive Board on the minor comments received from the FTA and the response NCTCOG has submitted to be in full compliance. The March 2014 modified program submission, including the following documents: 1) updated NCTCOG Title VI Program Narrative, 2) updated Language Assistance Plan, and 3) requested information concerning Equity Analysis, are attached for reference.

TC:al
Attachment



North Central Texas Council Of Governments

March 4, 2014

Ms. Antoinette Davis
Equal Opportunity Specialist
Federal Transit Administration
1200 New Jersey Avenue SE
Washington, DC 20590

Dear Ms. Davis:

In May 2013, the North Central Texas Council of Governments (NCTCOG) submitted an updated Title VI Program to the Federal Transit Administration (FTA), as required under FTA's Circular 4702.1B. This letter serves as a response to the comments identified in FTA's letter dated February 4, 2014.

As a result of the review, FTA had minor comments on NCTCOG's existing Title VI Program in four areas: 1) Language Assistance Plan, 2) Subrecipient Program Administration, 3) Equity Analysis to Determine Site or Location of Facilities, and 4) Reporting Minority Representation on Planning and Advisory Bodies. NCTCOG coordinated with FTA staff and as a result we have made changes to address FTA's comments with respect to the Language Assistance Plan and Subrecipient Program Administration. NCTCOG has also provided requested information regarding whether an equity analysis for a transit facility is required, as discussed in a conference call with FTA on February 25, 2014. It is NCTCOG's understanding that FTA will review the information and notify NCTCOG if additional documentation is needed. With respect to reporting minority representation on planning and advisory bodies, NCTCOG clarified how the Executive Board and the Regional Transportation Council, the Metropolitan Planning Organization policy body, and supporting technical committee members are appointed. It is our understanding that this clarification addresses FTA's comment.

The modified program submission has been uploaded to FTA TEAM-Web for consideration. The submission includes the following documents, which are enclosed for your reference: 1) Updated NCTCOG Title VI Program Narrative, 2) Updated Language Assistance Plan, and 3) Requested Information Concerning Equity Analysis.

Thank you for assistance on working with NCTCOG to address these comments. Should you have any questions or need further information, please contact Kendall Wendling, Transportation Planner, at (817) 704-2544 or kwendling@nctcog.org. If you have any questions for me, you can reach me at (817) 695-9241.

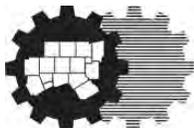
Sincerely,

Michael Morris, P.E.
Director of Transportation

KCW:cmg
Enclosures

cc: Robert Patrick, Regional Administrator, Region VI
Monica McCallum, Regional Division Chief, FTA Civil Rights
Diana Miranda, Office of Civil Rights, TxDOT Austin District
Mike Eastland, Executive Director, NCTCOG

**North Central Texas Council of Governments Title VI Program
May 2013 Update**



**North Central Texas
Council of Governments**

Introduction

Regional transportation planning in North Central Texas is conducted by the federally designated Metropolitan Planning Organization (MPO), comprised of the North Central Texas Council of Governments (NCTCOG) Transportation Department, NCTCOG's Executive Board, the Regional Transportation Council (RTC), and several technical committees. The MPO works with state and local governments, the private sector, and the region's citizens to plan coordinated transportation systems designed to move goods and people affordably, efficiently, and safely. Areas served include the Dallas-Fort Worth-Arlington, Denton-Lewisville, and McKinney urbanized areas and surroundings. Major products produced by the MPO include a long-range Metropolitan Transportation Plan (MTP), a shorter-term Transportation Improvement Program (TIP), a Congestion Management Process (CMP), and a Unified Planning Work Program (UPWP).

As an MPO, NCTCOG must consider Title VI in all phases of planning. Title VI applies equally to all the plans, programs, and activities of transportation planning undertaken by the MPO. MPOs can help local public officials, who represent the broader public, understand how Title VI and environmental justice requirements improve planning and decision making. To certify compliance with Title VI and address environmental justice, NCTCOG strives to:

- Enhance analytical capabilities to ensure that the long-range transportation plan and the Transportation Improvement Program comply with Title VI.
- Identify residential, employment, and transportation patterns of low-income and minority populations so that their needs can be identified and addressed, and the benefits and burdens of transportation investments can be fairly distributed.
- Evaluate and, where necessary, improve public involvement processes to eliminate participation barriers, and engage minority and low-income populations in transportation decision making.

Following are descriptions of how NCTCOG, in its capacity as the MPO, is implementing Title VI to ensure that no one is discriminated against on the basis of race, color, or national origin.

General Requirements

Title VI Notice to the Public

NCTCOG has developed a Title VI Notice to the Public that informs the public of their rights under Title VI and includes instructions on how to file a complaint of discrimination. The notice is posted in the NCTCOG lobby and in English and Spanish on the NCTCOG Website. The notice is included as *Attachment 1*. NCTCOG has also developed a Title VI Policy Statement and Assurances which are included as *Attachment 2*. A Nondiscrimination Agreement with the Texas Department of Transportation is included as *Attachment 3*.

Title VI Complaint Procedures

The Title VI Complaint Procedures are disseminated internally amongst staff at Environmental Justice Liaison meetings, trainings, and through the department Intranet. An external version of the complaint procedures are posted on the Transportation Department Website, at public meetings, and referenced in documentation produced by the department. A copy of NCTCOG's discrimination complaint form and procedures are included as *Attachment 4*. The external complaint procedures and form are also translated into Spanish and are posted on the NCTCOG Website.

Title VI Complaint Form

The Title VI Complaint Form is included with the Complaint Procedures in *Attachment 4*.

List of Transit-Related Title VI Investigations, Complaints, and Lawsuits

Since the submission of the last Title VI Program to the Federal Transit Administration (FTA), there have been no Title VI investigations, complaints, or lawsuits received by the NCTCOG Transportation Department or the NCTCOG Agency related to transit.

Public Participation Plan and a Summary of Outreach Efforts made since the Last Title VI Program Submission

Informing and involving residents in the transportation planning process is a continuous effort. The Public Participation Plan, included as *Attachment 5*, provides for an open exchange of information and ideas between the public and transportation decision makers. The Public Participation Plan incorporates several key elements to ensure the process is effective and proactive:

- Clearly defined purpose and objectives for initiating a public dialogue on transportation plans, programs, projects, policies, and partnerships.

- Identification of specifically who the affected public and other stakeholder groups are with respect to the plans, programs, projects, policies, and partnerships under development.
- Identification of techniques for engaging the public in the process.
- Notification procedures which effectively target affected groups.
- Education and assistance techniques which result in an accurate and full public understanding of the transportation problem, potential solutions, and obstacles and opportunities within various solutions to the problem.
- Follow through by public agencies demonstrating that decision makers seriously considered public input.

Evaluation of the public involvement process is ongoing, and the Public Participation Plan is regularly reviewed. The Public Participation Plan was updated in 2010 following a 45-day public comment period. The plan exceeds federal public involvement requirements and includes several implementation strategies to ensure all residents have access to information and opportunities to be involved in the transportation planning process.

Language Assistance Plan

In March 2010, the Regional Transportation Council adopted the NCTCOG Language Assistance Plan, which is included as Appendix E (pages 23 through 30) in the Public Participation Plan (*Attachment 5*). The Language Assistance Plan uses the Four Factor Analysis to identify Limited English Proficient (LEP) persons that need language assistance, outlines how language assistance is available, and describes how staff considers the needs of LEP persons.

Since the last update to the Language Assistance Plan in 2010, additional efforts have been undertaken to ensure nondiscrimination on the basis of national origin. One such effort is a survey of Transportation Department staff on the frequency of interactions with LEP persons. This survey, conducted from December 2011 through January 2012, estimates the number of LEP individuals that transportation staff encounter. The survey results are included as *Attachment 6*.

In accordance with the Safe Harbor Provision, NCTCOG has analyzed which language groups exceed the 1,000 persons or five percent threshold. These language groups are listed in *Attachment 7*. Since there are 24 languages that meet the Safe Harbor threshold, it is not feasible to translate vital documents into all of these languages. Therefore, NCTCOG focuses translation efforts on Spanish, which is the largest language group in the region other than English.

Transportation Department public meeting notices include a disclaimer in Spanish indicating that translation services are available if a request is made at least 72 hours before the meeting.

Membership of Non-Elected Committees and Councils

NCTCOG is governed by an Executive Board, which makes fiduciary decisions related to transit funding. Membership on the Executive Board is limited to elected officials selected by the area local governments. As the MPO, NCTCOG serves as staff to the Regional Transportation Council (RTC), which is the MPO policy board. Membership on the RTC is limited to local elected officials, officials from modal operators, and appropriate state officials as required by 23 U.S.C. § 134(d). RTC members are selected by area local governments and transportation agencies, not NCTCOG. The RTC has created the Surface Transportation Technical Committee (STTC), which advises on transit-related matters. This technical committee is comprised of local government staff selected by their respective governments or agencies. NCTCOG does not select the membership of the NCTCOG Executive Board, the RTC, or STTC. Therefore, NCTCOG does not track the racial or ethnic composition of these committees. The RTC bylaws do include a statement that the officer nominating committee, comprised of RTC members, “shall address issues of diversity, including sensitivity to gender, ethnicity, and geography in making its recommendations.” The bylaws for the Executive Board and the RTC are included as *Attachments 8 and 9*.

How Agency Monitors its Subrecipients for Compliance with Title VI, and a Schedule of Subrecipient Title VI Programs Submissions

A Title VI program is one of many policies and procedures that NCTCOG's subrecipients must provide in writing to illustrate compliance with applicable federal requirements. NCTCOG staff periodically reviews the Title VI programs of its subrecipients and works cooperatively to update the programs. Updates or other modifications may be necessary for several reasons including new implementation requirements issued by the FTA. Training, workshops, and other technical assistance have been and will continue to be provided by NCTCOG staff to subrecipients. Additionally, NCTCOG staff may conduct on-site visits of subrecipients as needed or subsequent to the filing of a Title VI complaint. In the event of a subrecipient's noncompliance, NCTCOG may impose sanctions such as the withholding of payments and/or the cancellation, termination, or suspension of a project agreement.

Subrecipients must submit a Title VI program to NCTCOG subsequent to the execution of an agreement. Following submission of the initial Title VI program, subrecipients are required to resubmit annually. If NCTCOG staff identifies that modifications are needed, subrecipients must provide the most updated version of the Title VI program within 30 days of finalizing an update. Additionally, changes in the FTA's Title VI requirements may necessitate updates to subrecipients' Title VI programs in order to ensure compliance. The schedule below indicates the most recent Title VI program submissions by NCTCOG's subrecipients and the upcoming submission date. In 2012, subrecipients' submittal included an update to their Limited English Proficiency Plan. For 2013, subrecipients' Title VI program submissions will include, at a minimum, updates that reflect recent revisions to the FTA's Title VI Circular (4702.1B) which was published on October 1, 2012.

Subrecipient	2012	2013
City/County Transportation (City of Cleburne)	July 30, 2012	July 30, 2013
Collin County Area Regional Transit	July 30, 2012	July 30, 2013
Public Transit Services	July 30, 2012	July 30, 2013
Special Programs for Aging Needs	July 30, 2012	July 30, 2013
STAR Transit	July 30, 2012	July 30, 2013

Board Meeting Resolutions of Approved Title VI Program

The Title VI Program was approved by the Regional Transportation Council on May 9, 2013 and by the NCTCOG Executive Board on May 23, 2013. The resolutions approving the program are included as *Attachment 10*.

MPO Requirements

Demographic Profile of Metropolitan Area

The Metropolitan Planning Area for NCTCOG is a 12-county region comprised of Collin, Dallas, Denton, Ellis, Hood, Hunt, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise counties. Over the past several decades, the North Central Texas region has grown rapidly and has become increasingly diverse. The table below depicts growth in total population, low-income individuals, and minority groups from 2000 to 2010. The LEP statistics are included in the Language Assistance Plan (*Attachment 5*). *Attachment 11* is a series of maps that depict the location of minority, low-income, and LEP populations in 2010.

	2000	Percent of Total Population	2010	Percent of Total Population	2000-2010 Growth
Total Population	5,197,317		6,417,724		24%
Low-Income Population	549,926	10.6%	864,284	13.5%	57%
Aggregate Minority Population*	2,121,346	40.8%	3,175,810	49.5%	50%
African American	701,258	13.5%	1,015,603	15.8%	45%
American Indian/Alaska Native	23,021	0.4%	84,851	1.3%	269%
Asian	191,334	3.7%	385,636	6.0%	102%
Hawaiian/Pacific Islander	2,990	0.1%	13,086	0.2%	338%
Hispanic	1,119,914	21.6%	1,757,112	27.4%	57%

Source: 2010 U.S. Census and 2006-2010 5-Year American Community Survey Estimates

*The aggregate minority population includes all Non-White individuals who describe themselves as African American, American Indian/Alaska Native, Asian, Hawaiian/Pacific Islander, Hispanic, or Some Other Race.

How Mobility Needs of Minority Populations are Identified and Considered within the Planning Process

NCTCOG regularly collects and analyzes demographic information to help plan for a more accessible regional transportation system. In accordance with federal legislation, NCTCOG analyzes environmental justice populations, which are defined as low-income and minority groups. The Environmental Justice Index (EJI) was developed to map concentrations of low-income and minority groups in the region. The 2010 EJI is included as *Attachment 12*. The EJI tool is used by department staff members and is distributed to local governments by request. An

EJI User's Guide has been created to explain the development and ensure correct usage. The 2010 EJI User's Guide is included as *Attachment 13*. The EJI is updated as new Census data is released. Staff also analyzes demographic trends in other potentially transportation-disadvantaged groups, such as LEP individuals, zero-car households, elderly populations, disabled populations, and female head of household populations.

Demographic Maps that Show the Impacts of the Distribution of State and Federal Funds in the Aggregate for Public Transportation Projects

NCTCOG tracks regional transportation projects through the Transportation Improvement Program (TIP). The TIP is a staged, multiyear program of projects approved for funding by federal, state, and local sources within the Dallas-Fort Worth area. In order to analyze the impact of public transportation projects utilizing federal and state funds, NCTCOG mapped the location of public transportation projects that used federal or state funds in the past three fiscal years (FY2011, 2012, and 2013). These project locations were overlaid with the locations of minority populations by block group based on the 2010 Census to determine if there were any disproportionate impacts to minority groups. *Attachment 14* includes this map, a chart depicting the percentage of federal and state funds spent in each county compared to the percentage of minority individuals, and a chart depicting the total amount of programmed public transportation federal funds. The majority of the programmed federal and state public transportation funds in the past three years were for projects located in Dallas County, where about 50 percent of the regional minority population is located. Overall, the federal and state funds spent on public transportation in the past three years have been located in areas with higher than average proportions of minority individuals. This indicates that accessibility to public transportation for minority groups is increasing; therefore, there are no disproportionate impacts to minority groups based on funds spent on public transportation.

Analysis of the MPO's Transportation System Investments that Identifies and Addresses any Disparate Impacts

As part of NCTCOG's commitment to provide a transportation system that is beneficial to all populations of the region, a Regional Environmental Justice Analysis is performed to assess the impacts of the roadway and transit recommendations in the Metropolitan Transportation Plan. The analysis includes performance measures related to accessibility and mobility, which are calculated to determine if there are any disparate impacts of the recommendations on protected (environmental justice groups) compared to non-protected populations. Specific to transit, the number of jobs accessible by automobile and transit is calculated for both protected and non-protected populations over the multiple network scenarios. The Regional Environmental Justice Analysis has not resulted in any disparate impacts to date, but if there are disparate impacts in the future, the roadway and transit recommendations would be reviewed and potentially changed. The Social Considerations Chapter and Appendix of Mobility 2035 – the most recently adopted Metropolitan Transportation Plan – is included as *Attachment 15*.

Subrecipient Program Administration

NCTCOG passes FTA financial assistance through to subrecipients in a non-discriminatory manner using the following types of allocation processes:

Formula-based Allocation: NCTCOG suballocates certain FTA program funds between the Eastern and Western portions of the Dallas-Fort Worth Metropolitan Area based on the same formula used by FTA to apportion the funds. This funding split is determined on an annual basis when FTA apportionments are made available. After the suballocation of funds, small public transportation providers submit a request for funding based on need. The remaining program funds, not requested by the small providers, are then allocated to the metropolitan transit authorities.

Competitive Allocation: For some FTA program funds, NCTCOG uses a competitive call for projects to allocate funding. Prior to the opening of a call for projects, the general public and interested parties are notified of the availability of funding, the application process, evaluation criteria and project award processes. All eligible agencies are encouraged to submit projects.

To provide assistance to potential subrecipients, including entities that would serve predominantly minority populations, in a non-discriminatory manner, NCTCOG does the following:

- Post information regarding Title VI policies and complaint procedures on NCTCOG's website and on various bulletin boards in NCTCOG's offices;
- Provide periodic Title VI training to subrecipients through meetings and workshops hosted by NCTCOG;
- Provide technical assistance, including demographic data, to help subrecipients develop Title VI Programs and conduct equity analyses; and
- Reply to questions about potential projects to be submitted through a competitive call for projects in a manner that does not give any potential subrecipient an "edge" over any other applicant.

List of Attachments

Attachment 1: Title VI Notice to the Public

Attachment 2: NCTCOG Title VI Policy Statement and Assurances

Attachment 3: NCTCOG Nondiscrimination Agreement

Attachment 4: Title VI Discrimination Complaint Procedures and Form

Attachment 5: NCTCOG Public Participation Plan and Language Assistance Plan

Attachment 6: Limited English Proficiency Interaction Departmental Survey Results

Attachment 7: Safe Harbor Analysis

Attachment 8: NCTCOG Executive Board Bylaws

Attachment 9: Regional Transportation Council Bylaws

Attachment 10: Title VI Program Approval Resolutions

Attachment 11: 2010 Demographic Profile

Attachment 12: 2010 Environmental Justice Index

Attachment 13: Environmental Justice Index User's Guide

Attachment 14: Impacts of Public Transit Projects on Minority Populations

Attachment 15: Mobility 2035 Social Considerations Chapter and Appendix

**THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS
TRANSPORTATION PUBLIC PARTICIPATION PLAN
(March 2010)**

APPENDIX E

**LANGUAGE ASSISTANCE PLAN
(Updated February 2014)**

The North Central Texas Council of Governments (NCTCOG) is committed to incorporating environmental justice elements and Title VI considerations into the public participation process for transportation planning. Input and involvement from populations that have been traditionally underserved by existing transportation systems including, but not limited to, low-income and minority households, are sought out and their needs considered. Various communication strategies and information formats seek to make information easily accessible and understandable.

Title VI states that no person shall be excluded from participation in, denied the benefit of, or subjected to discrimination under any program or activity receiving federal financial assistance on the basis of race, color, national origin, age, sex, disability, or religion. Title VI prohibits discrimination whether intentional or where the unintended effect is unduly burdensome. The North Central Texas Council of Governments Transportation Department Title VI Complaint Procedures (Appendix F) establishes a procedure under which complaints alleging discrimination in NCTCOG's provisions, services, or NCTCOG activities can be made by persons who are not employees of NCTCOG.

The U.S. Department of Transportation defines Limited English Proficiency (LEP) as persons who do not speak English as their primary language and who have limited ability to read, write, speak, or understand English.

Executive Order 13166

In 2000, President William J. Clinton signed Executive Order 13166 "Improving Access to Services for Persons with Limited English Proficiency." The order provided clarification of Title VI in the Civil Rights Act of 1964, stating that recipients of federal funds must "ensure that the programs and activities they normally provide in English are accessible to LEP persons and thus do not discriminate on the basis of national origin."

The order also required federal agencies and recipients of federal financial assistance to examine the services they provide and develop an implementation plan to provide meaningful access to LEP persons.

Guidance from the Federal Highway Administration, Federal Transit Administration and the Texas Department of Transportation stresses the importance of reducing language barriers that can prevent meaningful access by LEP persons to important services. NCTCOG values public involvement and feedback and encourages participation by all communities.

To ensure all communities have meaningful access to information and opportunities to participate in the planning process, the NCTCOG Transportation Department analyzes department activities and demographic information for the region in order to:

- Identify LEP persons who need language assistance and determine how these individuals are served or likely to be served by NCTCOG Transportation Department programs.
- Outline how language assistance will be available.
- Train staff for considering the needs of and interacting with LEP persons.
- Provide notice to LEP persons.
- Monitor and update plans and strategies that address how LEP individuals have access to information and opportunities for program participation.

Because transportation planning and services provided by NCTCOG can be both a benefit and a burden to economic development, employment, housing, education, healthcare, and social opportunities, NCTCOG staff is dedicated to assessing the location and needs of LEP communities and consequently, the services NCTCOG provides to these communities.

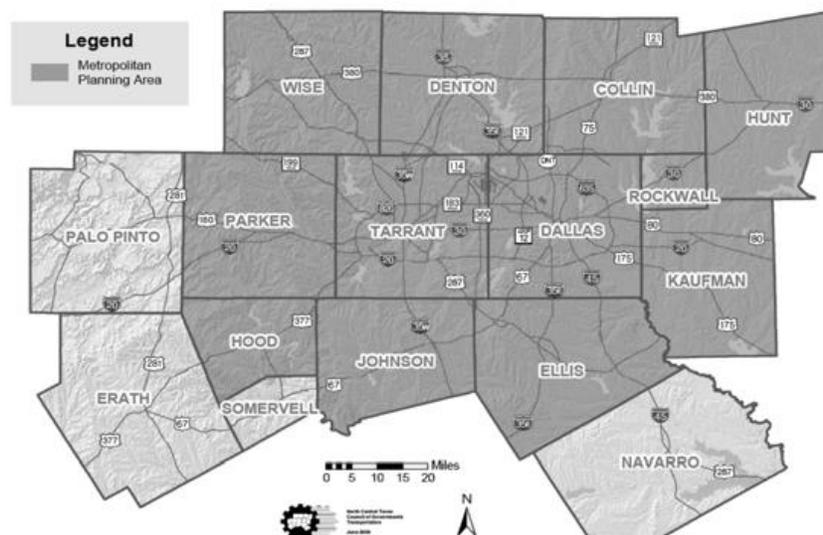
Identification of LEP Populations and Determination of How These Individuals are Served or Likely to be Served by NCTCOG Transportation Department Programs

The U.S. Department of Transportation issued Policy Guidance to federal financial assistance recipients regarding Title VI prohibition against national origin discrimination affecting LEP persons. In this guidance, the U.S. Department of Transportation provided the four-factor analysis as an approach to evaluate the extent to which language assistance measures are required to ensure meaningful access to LEP persons.

Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient grantee.

The Metropolitan Planning Area boundary encompasses 12 counties (Collin, Dallas, Denton, Ellis, Hood, Hunt, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise).

Limited English Proficiency Service Area



Data for the 12-county Metropolitan Planning Area was gathered using the 2000 Decennial Census and the 2006-2010 American Community Survey to analyze a ten-year change. Data from the 2008-2012 American Community Survey was also included to show the most recent language statistics available. LEP persons were classified as anyone over the age of five that described their ability to speak English as 'well,' 'not well,' and 'not at all.' Figures from both data sets were compiled to provide an approximation for the rate of growth of LEP persons in the service area.

In 2010, the American Community Survey estimated population over five was 5,698,467 for the 12-county region. The LEP population was 765,371, approximately 13.4 percent of the total population over five. Data from the 2000 Census showed the LEP population to be 596,426; which is a 28.3 percent increase. Spanish was the largest language represented among the LEP population with 11 percent of the total population. Asian languages were the second largest group among the LEP population comprising 1.6 percent of the total population. LEP individuals speaking Indo-European languages and Other languages comprised 0.6 percent and 0.2 percent of the total population, respectively.

LEP Population for the 12-County Dallas-Fort Worth Metropolitan Planning Area

Total Metropolitan Planning Area (MPA) Population Over 5		Total MPA LEP Population	% LEP of Total Population	Total MPA Spanish LEP Population	% Spanish LEP of Total Population	Total MPA Asian Languages LEP Population*	% Asian Languages LEP of Total Population	Total MPA Indo-European Languages LEP Population	% Indo-European Languages LEP of Total Population	Total MPA Other Languages LEP Population	% Other Languages LEP of Total Population
2000 Census	4,782,849	596,426	12.5%	486,399	10.2%	66,633	1.4%	29,705	0.6%	9,451	0.2%
2006-2010 American Community Survey	5,698,467	765,371	13.4%	624,880	11.0%	89,868	1.6%	35,731	0.6%	14,892	0.2%
2000-2010 % Change	19.4%	28.3%		28.5%		34.9%		20.3%		57.6%	
2008-2012 American Community Survey	5,947,648	788,157	13.3%	634,403	10.7%	95,643	1.6%	40,866	0.7%	17,245	0.3%
2010-2012 % Change	4.4%	3.0%		1.5%		6.4%		14.4%		15.8%	

Source: 2000 Census, 2006-2010 and 2008-2012 American Community Survey; www.census.gov

Limited English Proficiency (LEP) is classified as any person whose primary language is other than English and answered that their ability to speak English was “well,” “not well,” and “not at all.”

The Dallas-Fort Worth Metropolitan Planning Area consists of; Collin, Dallas, Denton, Ellis, Hood, Hunt, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise counties.

*LEP Asian Languages for 2010 include: Vietnamese (0.58%), Chinese (0.33%), Korean (0.24%), Other Asian Languages (0.14%), Laotian (0.07%), Tagalog (0.06%), Thai (0.04%), Mon-Khmer, Cambodian (0.04%), Japanese (0.04%), Other Pacific Island Languages (0.02%), and Hmong (0.002%).

LEP Asian Languages for 2012 include: Vietnamese (0.62%), Chinese (0.35%), Korean (0.25%), Other Asian Languages (0.16%), Laotian (0.06%), Tagalog (0.06%), Mon-Khmer, Cambodian (0.04%), Japanese (0.04%), Thai (0.03%), Other Pacific Island Languages (0.02%), and Hmong (0.001%).

LEP data for individual languages is not available from the 2000 Census.

Recognizing that low literacy could also result in Limited English Proficiency, data from the U.S. Department of Education, Institute of Education Sciences, National Center for Education Statistics, 2003 National Assessment of Adult Literacy was analyzed. The study used population estimates for persons 16 years and older as of 2003. Individuals determined to lack basic literacy skills either scored below basic in prose or could not be tested due to language barriers.

The study found that 19 percent of the statewide population lacked basic literacy skills. Within the 12-county area, 21 percent of the Dallas County population lacked basic literacy skills. Dallas County was the only county in the region above the state percentage.

Location	Population Size ¹	Percent Lacking <i>Basic Literacy Skills</i> ²
Texas	15,936,279	19%
Collin County	437,018	8%
Dallas County	1,650,735	21%
Denton County	371,897	8%
Ellis County	90,668	13%
Hood County	35,299	9%
Hunt County	60,001	13%
Johnson County	102,672	12%
Kaufman County	60,172	14%
Parker County	72,454	9%
Rockwall County	40,168	8%
Tarrant County	1,130,374	14%
Wise County	40,253	12%

¹ Estimated population size of persons 16 years and older in households in 2003.

² Those lacking *basic* prose literacy skills include those who scored *Below Basic* in prose and those who could not be tested due to language barriers.

Source: U.S. Department of Education, Institute of Education Sciences, National Center for Education Statistics, 2003 National Assessment of Adult Literacy

This Language Assistance Plan outlines how needs of the LEP population in the service area will be addressed, how language services will be made available, and how LEP persons will be notified of these services.

Factor 2: The frequency with which LEP individuals come in contact with the program.

The nature of the programs associated with the Metropolitan Planning Organization dictate that the majority of contact with the public and LEP persons is through inquiries submitted to the MPO, public meetings, public outreach events, the MPO Website, and program implementation activities.

In order to better inform the frequency with which LEP individuals come in contact with MPO programs, a staff survey of LEP encounters was conducted in 2011. Department staff members were asked if they had encountered an LEP individual in the past six months, and if so, what

languages they had encountered, the frequency, and what type of work activity they were conducting. Of the 134 department staff members surveyed, 18 indicated that they encountered LEP individuals speaking six total languages in a period of six months. Spanish was the most common, followed by rare encounters of Vietnamese, Hindi, Arabic, Chinese, and unspecified languages. The most frequent work activities in which staff encountered LEP individuals were phone calls and public meetings. The majority of interactions were related to the AirCheckTexas Drive a Clean Machine vehicle repair and replacement assistance program, a state-funded initiative to reduce ozone-causing emissions from high-polluting vehicles.

Factor 3: The nature and importance of the program, activity or service provided by the recipient to people's lives.

NCTCOG is the agency responsible for the regional transportation planning process; in this capacity, NCTCOG must ensure that all segments of the population are involved or have the opportunity to be involved in the decision making process. As required by federal guidelines, NCTCOG produces a Metropolitan Transportation Plan that outlines long-range transportation investments, a Transportation Improvement Program (TIP) that provides short-range planning for transportation investments, a Unified Planning Work Program (UPWP) that outlines tasks to be performed in the upcoming year, and a Congestion Management Process for developing and implementing operational and travel-demand strategies that improve transportation system performance.

Consistent with the Public Participation Plan, planners seek public input on the products outlined above, which influence quality of life and mobility options in the region. Public meetings represent one way for North Texans to be informed and involved. Public meeting notices include the telephone number and e-mail address to request special arrangements for language translation or disability. On each notice, this information is included in English and Spanish. Public meetings are advertised in newspapers, and staff interact regularly with local reporters, some who contribute to minority publications. Translated ads are placed in the major Spanish newspapers.

Additionally, ten North Texas counties are classified by the U.S. Environmental Protection Agency as moderate nonattainment for eight-hour ozone levels. Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall, Tarrant, and Wise counties are classified as nonattainment. MPO transportation plans must show transportation conformity and comply with rules established by the Clean Air Act Amendments of 1990. Therefore, NCTCOG is also responsible for developing and implementing plans, policies and programs that reduce transportation-related emissions that lead to ozone formation.

Based on the LEP Interaction Survey described in Factor 2, staff has encountered the most LEP individuals through the AirCheck Texas program. This state program offers financial assistance to individuals who meet income requirements and wish to make emissions-related repairs or replace older, high-polluting vehicles. It allows local residents to contribute to the regional air quality solution. There are currently bilingual staff on the AirCheck Texas program team to assist Spanish speakers that are LEP. Additionally, web content and other materials for the general air quality public awareness campaign are available in English and Spanish.

Factor 4: The resources available to the recipient and costs.

NCTCOG currently has available, if needed, bilingual staff to assist in translation needs and/or translation review. NCTCOG also has agreements with translation services that cover many languages, as well as American Sign Language. To date, no translation services requests for public meetings have been received. NCTCOG currently utilizes a translation service and department staff to translate documents. The average cost for outside translation service is \$0.12 per word. At no cost, the Google Translate tool was added to the NCTCOG Transportation Department Website, allowing information to be available in 80 languages. Each year a portion of the community outreach budget is proactively allocated to translation services. Visualization tools such as animations, maps, renderings, photos, and others are also used when possible to increase understanding among all audiences. These tools can also be especially beneficial for LEP persons. All language assistance will be provided at no charge to LEP individuals.

Guidelines for Making Language Assistance Available

The four-factor analysis will be used as a tool for analyzing to what extent and how the needs of LEP communities are addressed during transportation planning and program implementation. For example, the four-factor analysis will be used to determine initial translation or alternative format needs for documents and the Website. Department reports, newsletters, brochures, other publications, and Website information include instructions about how to request information be made available in another format. Translators and interpreters used by the NCTCOG Transportation Department will be evaluated to ensure accurate, high-quality language services are available to LEP persons.

Increased use of visualization tools will be used to make information more understandable and, in some cases, reduce the need for English proficiency.

Plans, projects, and programs for areas with a high number of LEP persons will have materials that address needs of the population in that area. Environmental Justice communities, including non-English speakers, are mapped whenever possible to provide, as much as possible, plan- or project-specific data to be used.

The NCTCOG Transportation Department will make every effort to accommodate language translation needs, if provided sufficient notice. A minimum of three business days advance notice is required for these arrangements to be provided at public meetings.

NCTCOG Transportation Department staff will consistently seek out input and involvement from organizations and agencies which serve LEP populations to complement other language assistance and outreach efforts.

Staff Training for Considering the Needs of and Interacting with LEP Persons

All NCTCOG Transportation Department staff members employed as of February 2013 completed training on the requirements and techniques for providing meaningful access to services for LEP persons. Training materials and resources continue to be available for review by all staff — including new employees.

Notice of Assistance Available for LEP Persons

Public meeting notices include the telephone number and e-mail address to request special arrangements for language translation or disability. On each notice, this information is included in English and Spanish.

Notice of the North Central Texas Council of Governments Transportation Department Title VI Complaint Procedures is also included on publications such as public meeting notices and department publications.

Language assistance can be obtained by contacting the NCTCOG Transportation Department:

North Central Texas Council of Governments, Transportation Department
P.O. Box 5888
616 Six Flags Drive (76011)
Arlington, TX 76005-5888
Phone: (817) 695-9240
Fax: (817) 640-3028
e-mail: transinfo@nctcog.org
Website: www.nctcog.org/trans

Monitoring and Updating Plans and Strategies that Address how LEP Individuals have Access to Information and Opportunities for Program Participation

This Language Assistance Plan is intended to be reviewed and updated in conjunction with the NCTCOG Transportation Public Participation Plan.

Environmental justice and Title VI activities will be periodically summarized to provide information about how the NCTCOG Transportation Department:

- Addresses the needs of LEP persons and those traditionally underserved by existing transportation services.
- Facilitates opportunities for full and fair participation from all individuals.
- Makes information accessible and understandable.
- Ensures no person shall, on the basis of race, color, national origin, age, sex, disability, or religion, be excluded from participation in, denied the benefit of, or subjected to discrimination under any program or activity receiving federal financial assistance.

Requested Factual Information Concerning Requirement to Conduct Equity Analysis to Determine Site or Location of Facilities

STAR Transit serves Kaufman and Rockwall counties and is a subrecipient of NCTCOG. As of 2007, STAR had an existing lease agreement with the City of Terrell for a 0.75 acre tract of land adjacent to the City's municipal airport. Due to proximity of the land to the airport, Federal Aviation Administration (FAA) rules prevent the City from selling the land which is why STAR leased the land. The area is part of the City's industrial Airport Business Park, zoned light industrial, and no residential communities are in the immediate vicinity (see Exhibit A2 on page 5 of the attachment). STAR used the land as a vehicle storage area.

In 2008, STAR began experiencing significant growth in both ridership and fleet size. Due to this growth, STAR began searching for land for an expanded storage facility as well as an administrative facility. During the search, STAR identified a 1.25 acre tract of vacant land adjacent to STAR's current vehicle storage area as the most suitable location (see Exhibit B1 on page 6 of the attachment). Once again, due to FAA proximity rules STAR had to lease the land from the City of Terrell. Before entering into the lease agreement, STAR conducted a lease versus buy analysis. Since the land was undeveloped, no displacement of persons from their residences or businesses occurred.

All of the applicable documentation was attached to NCTCOG's FY 2008 Urbanized Area Formula Program grant application (i.e., TX-90-X840-00), which included STAR's initial facility construction funds, in FTA's TEAM-Web. In addition to the lease versus buy analysis, NCTCOG staff worked with Cheryl Tyson and Lynn Hayes from FTA Region VI on a categorical exclusion (CE) for the facility. Sixteen pages of documentation was submitted on May 7, 2008, including an FTA document called 'Information Required for Probable Categorical Exclusion (Section 771.117(d))'. At this point in time, FTA's Title VI Circular (FTA C 4702.1A) requirement regarding construction projects stated that:

"Recipients and subrecipients should integrate an environmental justice analysis into their National Environmental Policy Act (NEPA) documentation of construction projects. (Recipients are not required to conduct environmental justice analyses of projects where NEPA documentation is not required.). Recipients preparing documentation for a CE can meet this requirement by completing and submitting FTA's standard CE checklist, which includes a section on community disruption and environmental justice."

An environmental justice analysis was not conducted for this STAR facility construction because the NEPA requirements did not apply to the project. As previously mentioned, CE documentation was provided to FTA Region VI staff and included a section on community disruption and environmental justice (see Section L on page 2 of the attachment). Also, Section J of the CE document states that "the land was undeveloped therefore no acquisitions or land or relocations of residents or businesses are associated with the proposed improvements".

Additional funds for this project came from NCTCOG's American Recovery and Reinvestment Act (ARRA) Urbanized Area Formula Program grant (i.e., TX-96-X020-00). A design/build procurement was conducted in October 2010 and construction was completed in April 2012. The use of the facilities have not changed since construction was completed. Additionally, since the CE was conducted in 2008, there have been very little change in development in the surrounding area. Currently, the land is still part of the City's industrial Airport Business Park.

Date: May 7, 2008

Grant No.: DRAFT5307FY2007

Grant Applicant: North Central Texas Council of Governments (NCTCOG)

**INFORMATION REQUIRED FOR PROBABLE
CATEGORICAL EXCLUSION
(SECTION 771.117(d))**

- A. **DETAILED PROJECT DESCRIPTION:**
Kaufman Area Rural Transportation (KART) will lease 1.25 acres of land adjacent to the existing KART property at 500 Industrial Boulevard in Terrell, Texas. Planned improvements on the leased land include the construction of a metal building approximately 10,000 square feet that will provide storage for approximately twenty (20) KART transit vehicles. Exhibit A and A2 supplement the project description.
- B. **LOCATION INCLUDING ADDRESS:**
The vehicle storage facility will be located in the City of Terrell, Kaufman County, Texas. The improvement will be built adjacent to 500 Industrial Boulevard, Terrell, Texas 75160, as shown in Exhibits B1 and B2 and explained further in Exhibit B3.
- C. **METROPOLITAN PLANNING AND AIR QUALITY CONFORMITY:**
Mobility 2030: The Metropolitan Transportation Plan for the Dallas-Fort Worth area received favorable Air Quality conformity determination by USDOT in June 2007. The project is included in pending Transportation Improvement Program (TIP) modifications, anticipated to be included in the statewide TIP in June 2008. Conformity analysis and determination for the 2008-2011 TIP for the Dallas-Fort Worth Metropolitan Area is anticipated in 2009.
- D. **ZONING:**
The proposed storage facility will be built within an area zoned as light industrial as shown in Exhibit D. The proposed improvements would therefore be consistent with the existing zoning in the area and consistent with existing buildings adjacent to the proposed project.
- E. **TRAFFIC IMPACTS:**
There is adequate capacity on the existing minor arterials and supporting roadway network to accommodate the vehicles that will be stored at the new facility. Traffic impacts are anticipated to be minimal and are explained in Exhibit E.
- F. **CO HOT SPOTS:**
The proposed project will not induce serious traffic impacts at any intersections; therefore a CO hot spot will not result from the construction of this project and a CO hot spot analysis is not warranted.
- G. **HISTORIC RESOURCES:**
According to the Texas Historic Sites Atlas, no known cultural, historic or archaeological resources have been identified in the near vicinity (within 0.5 mile) of the proposed storage facility. Impacts to cultural or historic resources are not anticipated. See Exhibit G for documentation on historic resources.

- H. **NOISE:**
There are no anticipated noise impacts to the nearby community. The operation and utilization of the facility will be in accordance with the established light industrial zoning.
- I. **VIBRATION:**
Impacts associated with vibration are not anticipated due to the nature of this facility being a fixed structure and not involving a rail project.
- J. **ACQUISITIONS & RELOCATIONS REQUIRED:**
The land is currently undeveloped therefore no acquisitions of land or relocations of residents or businesses are associated with the proposed improvements. The land is currently leased from the Terrell Airport by KART and will continue to be leased in the future.
- K. **HAZARDOUS MATERIALS:**
Real property will not be acquired for this project. The land is currently being leased by KART and is undeveloped therefore no hazardous materials impacts are anticipated.
- L. **COMMUNITY DISRUPTION AND ENVIRONMENTAL JUSTICE:**
The proposed improvements would not disrupt any communities or access to public roads within the study area. There are no public community facilities in the near vicinity of the proposed project. The property is currently undeveloped and is located on airport property in an area zoned for light industrial businesses so no adverse impacts to the community and environmental justice populations are anticipated.
- M. **USE OF PUBLIC PARKLAND AND RECREATION AREAS:**
Since the location is in a light industrial area on airport property, there are no parks or recreational areas in the near vicinity of the project. Impacts to parks and recreation areas are not anticipated as shown in Exhibit M.
- N. **IMPACTS ON WETLANDS:**
No direct alteration to wetlands is anticipated. There are no identified National Wetland Inventory woody or emergent herbaceous wetlands near the identified site as shown on Exhibit N and N2. (Source: 2001 USGS Land Cover Data)
- O. **FLOODPLAIN IMPACTS:**
The project construction is not anticipated to impact floodplains since no permanent alterations are proposed within any floodplain. The property where the structure will be built is not contained within a designated 100-year floodplain.
- P. **IMPACTS ON WATER QUALITY, NAVIGABLE WATERWAYS, & COASTAL ZONES:**
The project construction is not anticipated to impact water quality or navigable waterways. There are no major waterways in the immediate (0.25 mile) vicinity of this project. The National Hydrography Database does identify several intermittent streams, as shown in Exhibit P, but impacts to these intermittent streams are not anticipated due to the small scale of this project and its consistency with current development in the area.
- Q. **IMPACTS ON ECOLOGICALLY-SENSITIVE AREAS AND ENDANGERED SPECIES:**
No adverse impacts to ecologically-sensitive areas or endangered species within the project area are anticipated. Exhibit Q indicates that there are no woodlands, rivers, lakes, major streams, designated wildlife or waterfowl refuges in the vicinity of the project. No impacts to any species are anticipated due to the consistency of this project with existing development in the area.

Exhibit A
KART Public Transportation

Terrell Office:
200 S. Virginia
P.O. Box 703
Terrell, Texas 75160
Phone – (972) 524-1423
Fax – (972) 563-1491

Rockwall Office:
950 Williams Street
Suite 500
Rockwall, Texas 75087
Phone – (214) 771-0023
Fax – (972) 722-1835



April 15, 2008

A) Detailed Project Description:

In 2008, KART and the City of Terrell worked out an agreement to build a vehicle storage facility on the land at 500 Industrial Blvd. We plan to continue to lease the land and build a structure on it in 2009. The structure will be adjacent to the current facility and will consist of: a metal building with concrete floors.

R) Impacts on Safety and Security:

The measures that will be taken for the safe and secure operation of the building will be remote control garage doors, and locked access to vehicles.

Exhibit A2

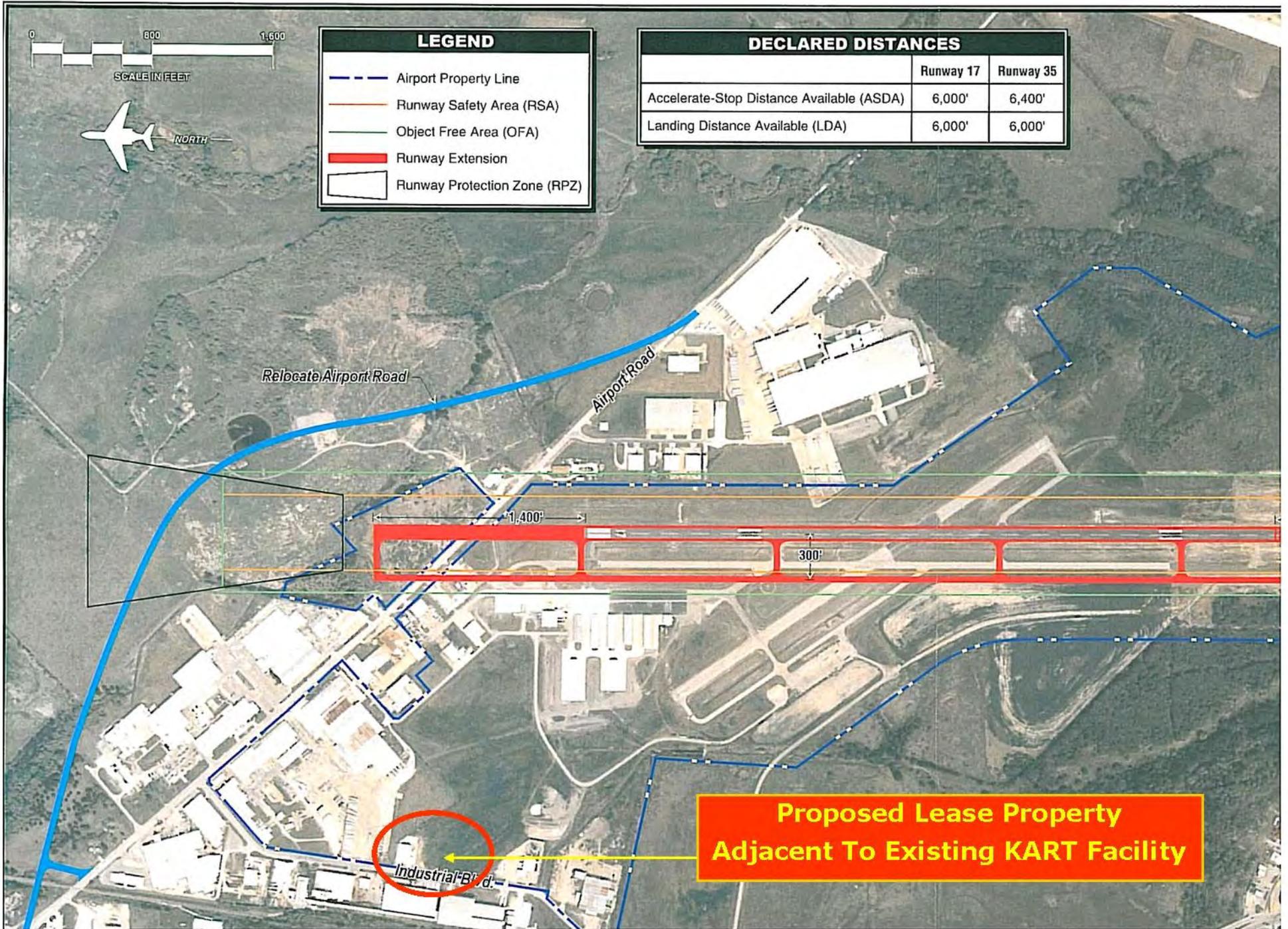
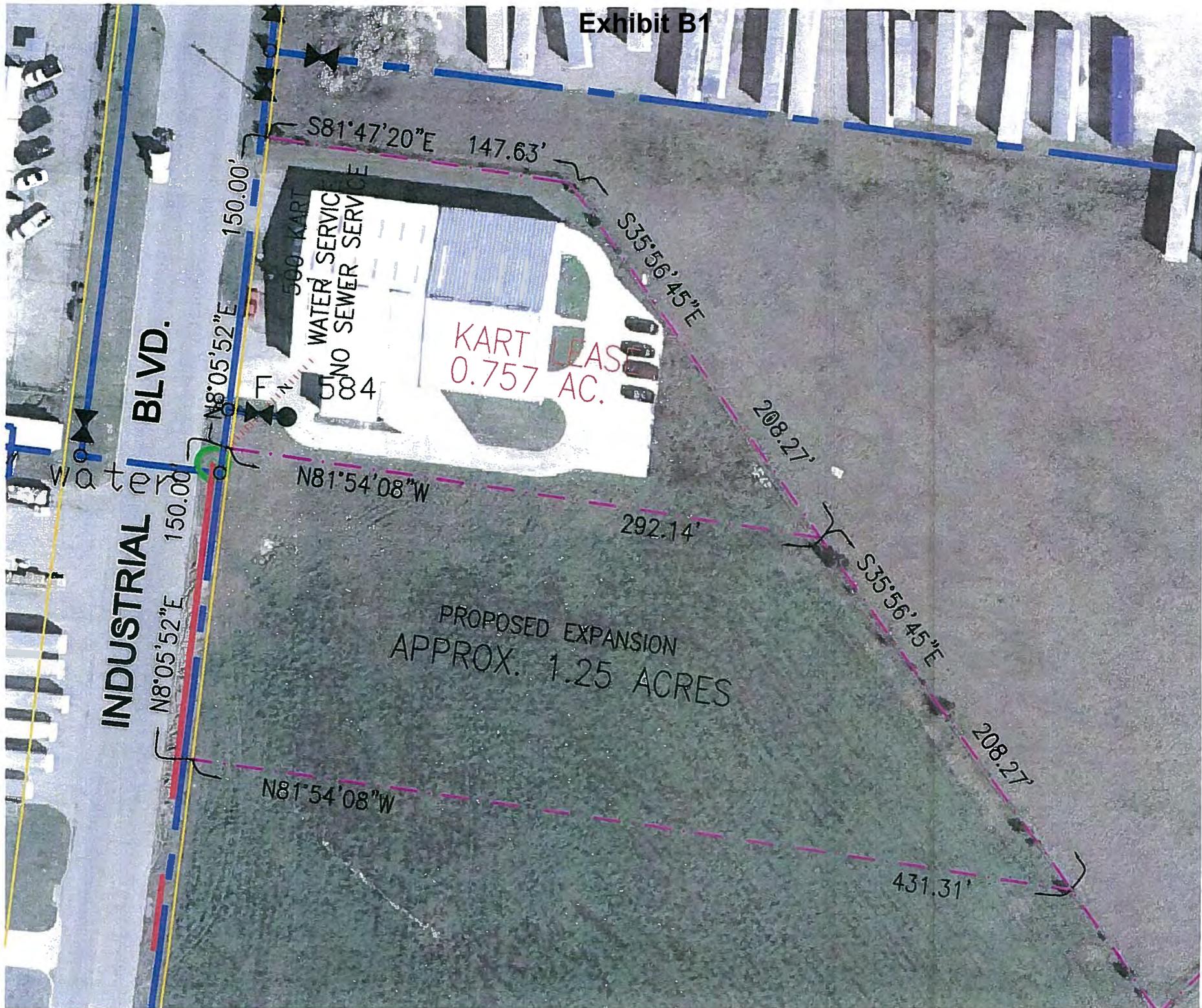


Exhibit B1



INDUSTRIAL BLVD.

INDUSTRIAL BLVD.

KART LEAS
0.757 AC.

PROPOSED EXPANSION
APPROX. 1.25 ACRES

S81°47'20"E 147.63'

S35°56'45"E

208.27'

292.14'

S35°56'45"E

208.27'

431.31'

150.00'

N8°05'52"E

150.00'

N8°05'52"E

N81°54'08"W

N81°54'08"W

500 KART
WATER SERVICE
AND SEWER SERVICE

F 004

water

Exhibit B2

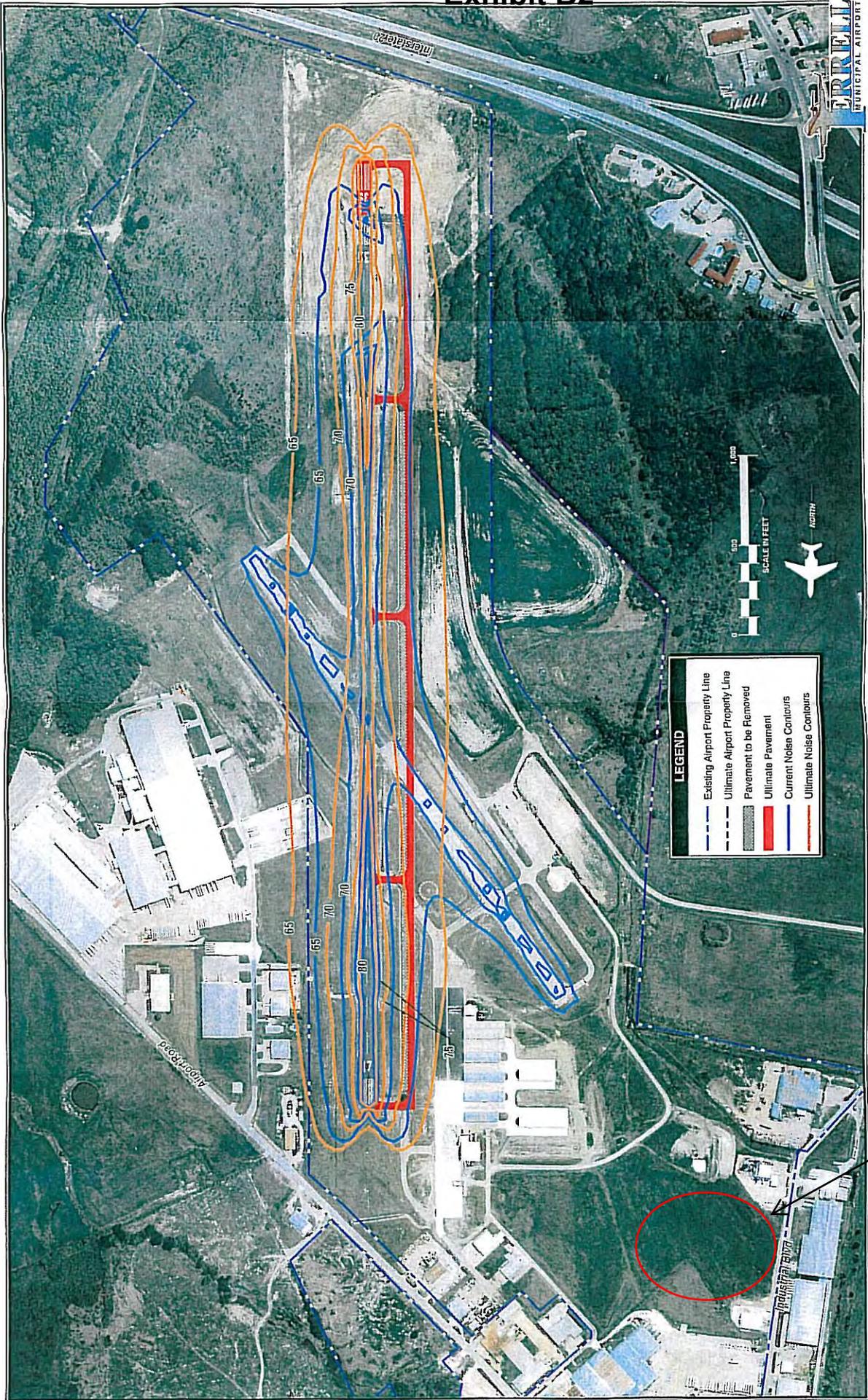


Exhibit A
NOISE EXPOSURE CONTOURS

EXHIBIT B3
K.A.R.T. LEASE FIELD NOTE DESCRIPTION

Being 1.25 acres of land situated in the Ransom Sowell Survey, Abstract No. 443, within the corporate city limits of the City of Terrell, Kaufman County, Texas out of that 526 acres described in deed dated November 11, 1945, from Kaufman County to the City of Terrell, as recorded in Volume 301, Page 482, of the Deed Records of Kaufman County, and being more particularly described as follows;

BEGINNING at the southwest corner of a 0.757 acre tract presently leased to K.A.R.T. from the City of Terrell, said corner also being in the east R.O.W. of Industrial Boulevard (an 80' R.O.W.) and being $N08^{\circ}05'52''E$ a distance of 896.16 feet from an iron rod found in the North line of Airport Addition Block "A" at the intersection of the South and East R.O.W. lines of Industrial Boulevard ;

THENCE $N81^{\circ}54'08''W$, along the south line of said 0.757 acre tract, a distance of 292.14 feet to a point for corner said point also being the southeast corner of said 0.757 acre tract;

THENCE $S35^{\circ}56'45''E$, a distance of 208.27 feet to a point for corner;

THENCE $N81^{\circ}54'08''W$ a distance of 431.31 feet to a point for corner said point being in the East R.O.W. of Industrial Boulevard;

THENCE $N08^{\circ}05'52''E$ along said R.O.W. a distance of 150.0 feet to the POINT OF BEGINNING and containing 1.25 acres of land, more or less.

Exhibit D

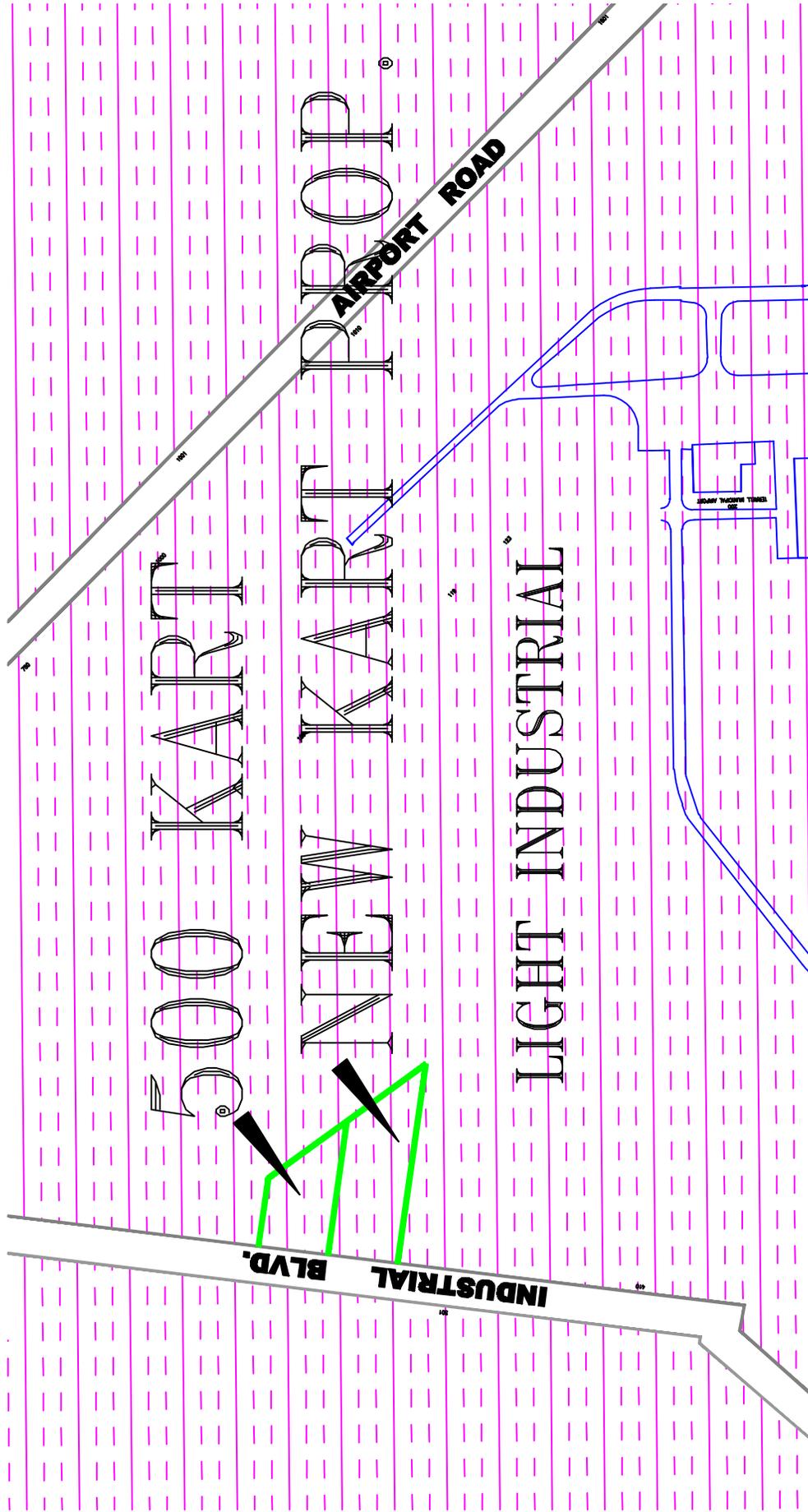


Exhibit E

MEMO

To: Omega Hawkins, General Manager-KART
From: Steve Rogers, City Engineer-City of Terrell
Date: April 4, 2008
Subject: Traffic Impact of Proposed KART Facility

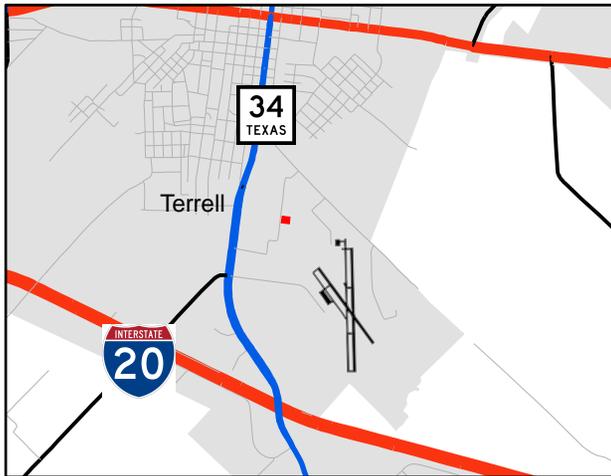
The proposed Kaufman Area Rural Transit facility will have minimal impact on traffic. There is adequate capacity on the existing roadway network for the vehicles which will operate within the service area of this facility.

Please advise if there are any questions.

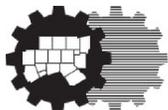
Exhibit G Historic Resources

Legend

-  Proposed Project Site
-  National Register Property
-  Historical Marker
-  Museum
-  Cemeteries
-  Archeological Projects Area
-  0.5 Mile Buffer
-  Airport
-  City of Terrell



Data Source: Texas Historic Sites Atlas,
Texas Historical Commission

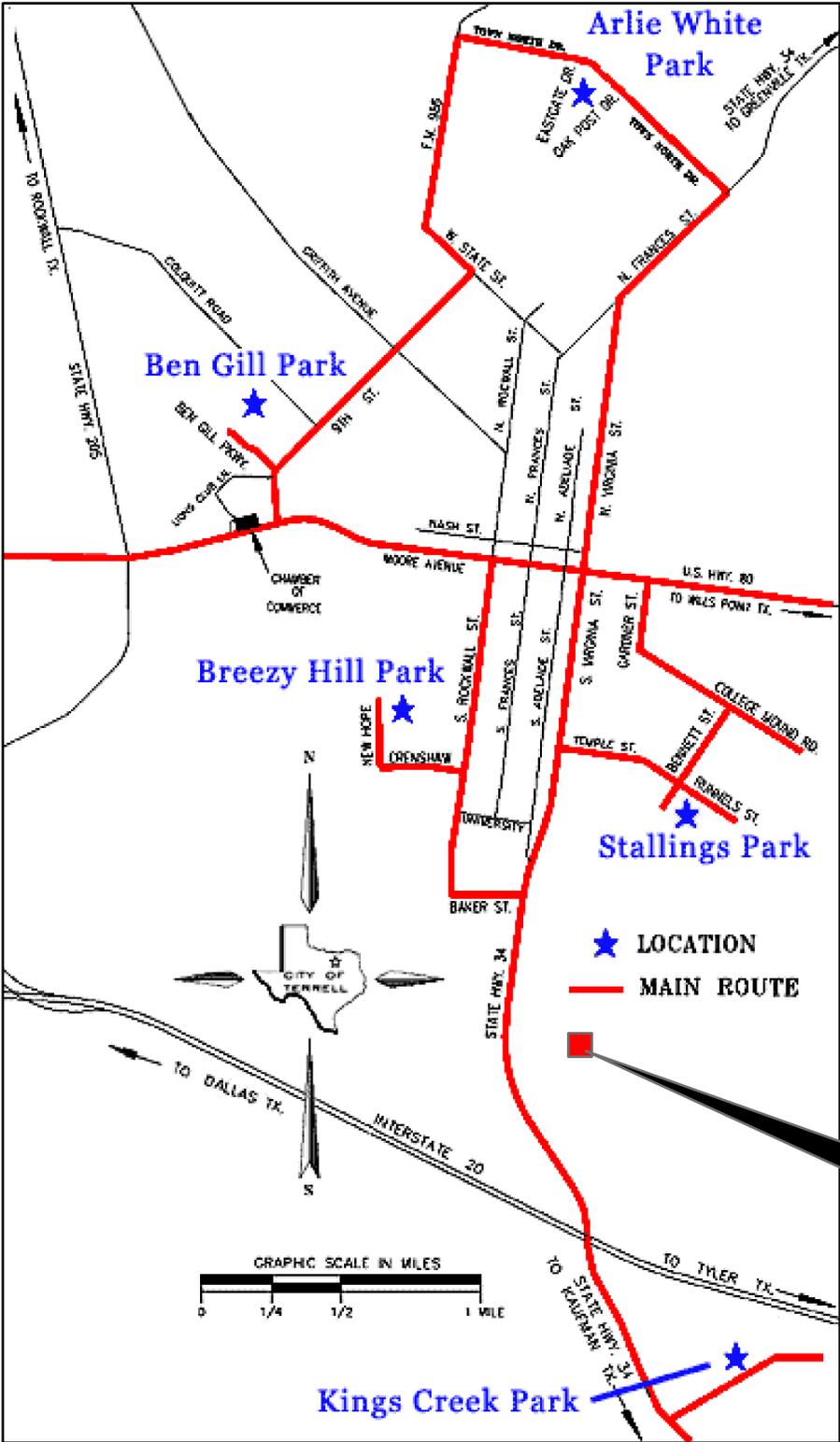


North Central Texas
Council of Governments



Exhibit M Terrell City Parks

- ★ LOCATION
- MAIN ROUTE

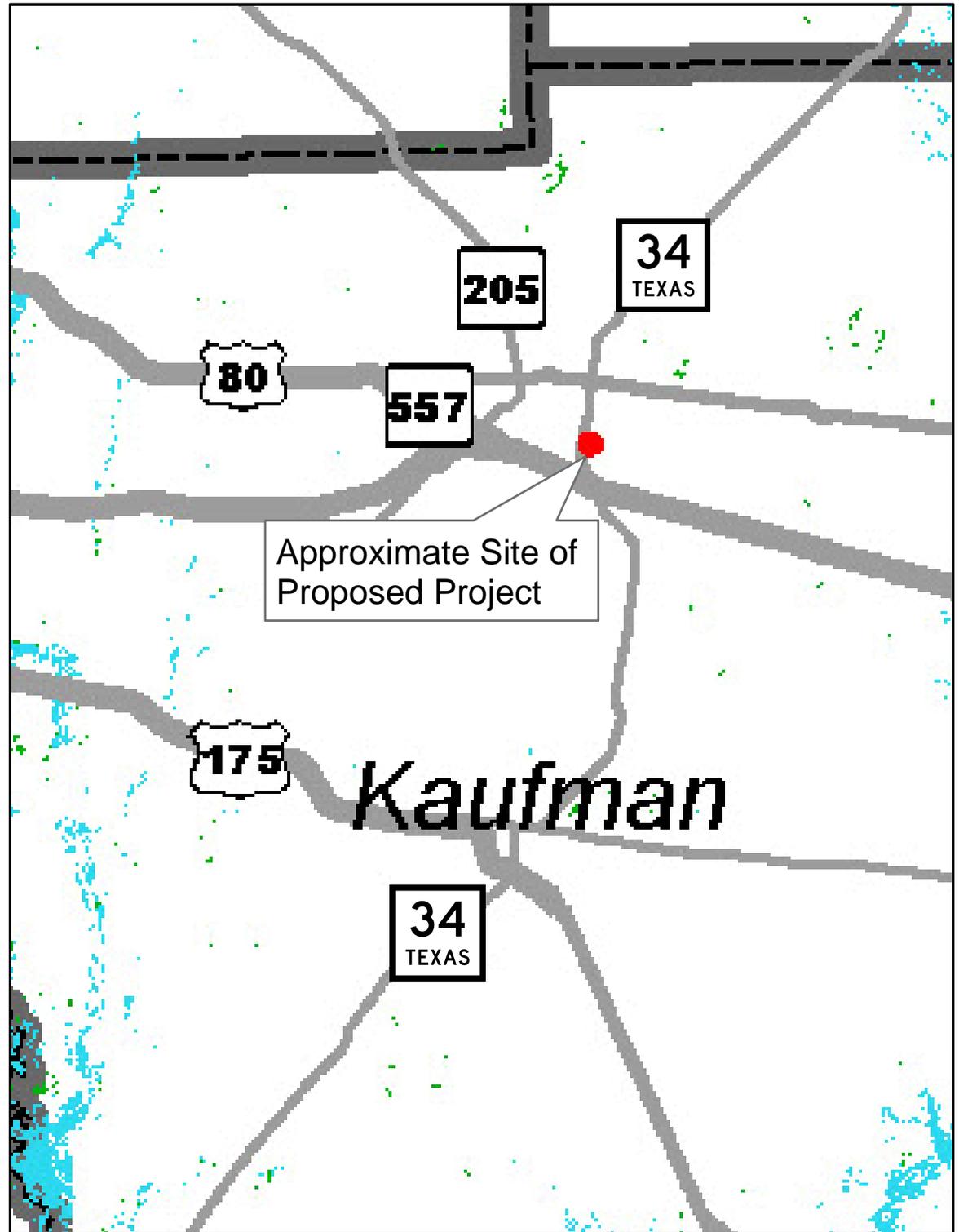
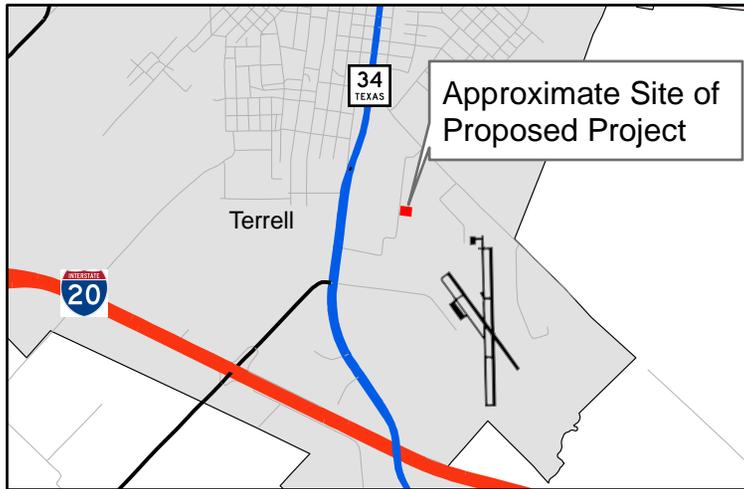


**Approximate Site of
Proposed Project**

EXHIBIT N Wetlands

2001 USGS Land Cover

-  Woody Wetlands
-  Emergent Herbaceous Wetlands



Terrell Airport / North Industrial Area

Exhibit N2



Proposed storage facility site

Legend

- KAUFMAN CO. PARCELS (2006)
- NHD WATERBODY
- NHD FLOWLINE
- Woody Wetlands



Exhibit P Water Quality, Navigable Waterways, & Coastal Zones

 wildliferefuges

 Proposed Project Site

Water Bodies

 National Hydrography Database Waterbody

 National Hydrography Database Flowline

Buffers

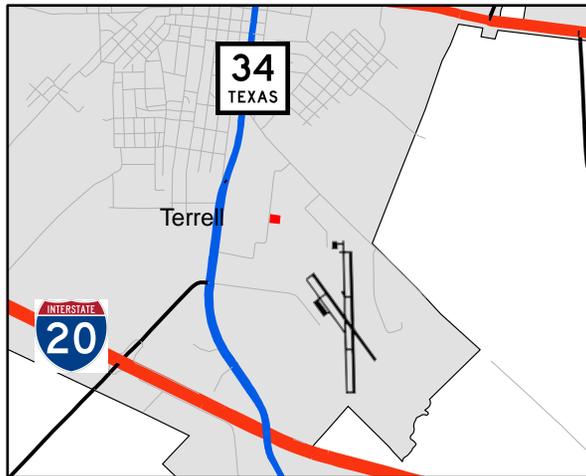
 0.25 Mile Buffer

Roads

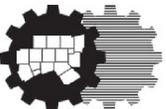
 Primary Highway

 Secondary Highway

 City of Terrell



Data Source: NCTCOG data sources.



North Central Texas
Council of Governments

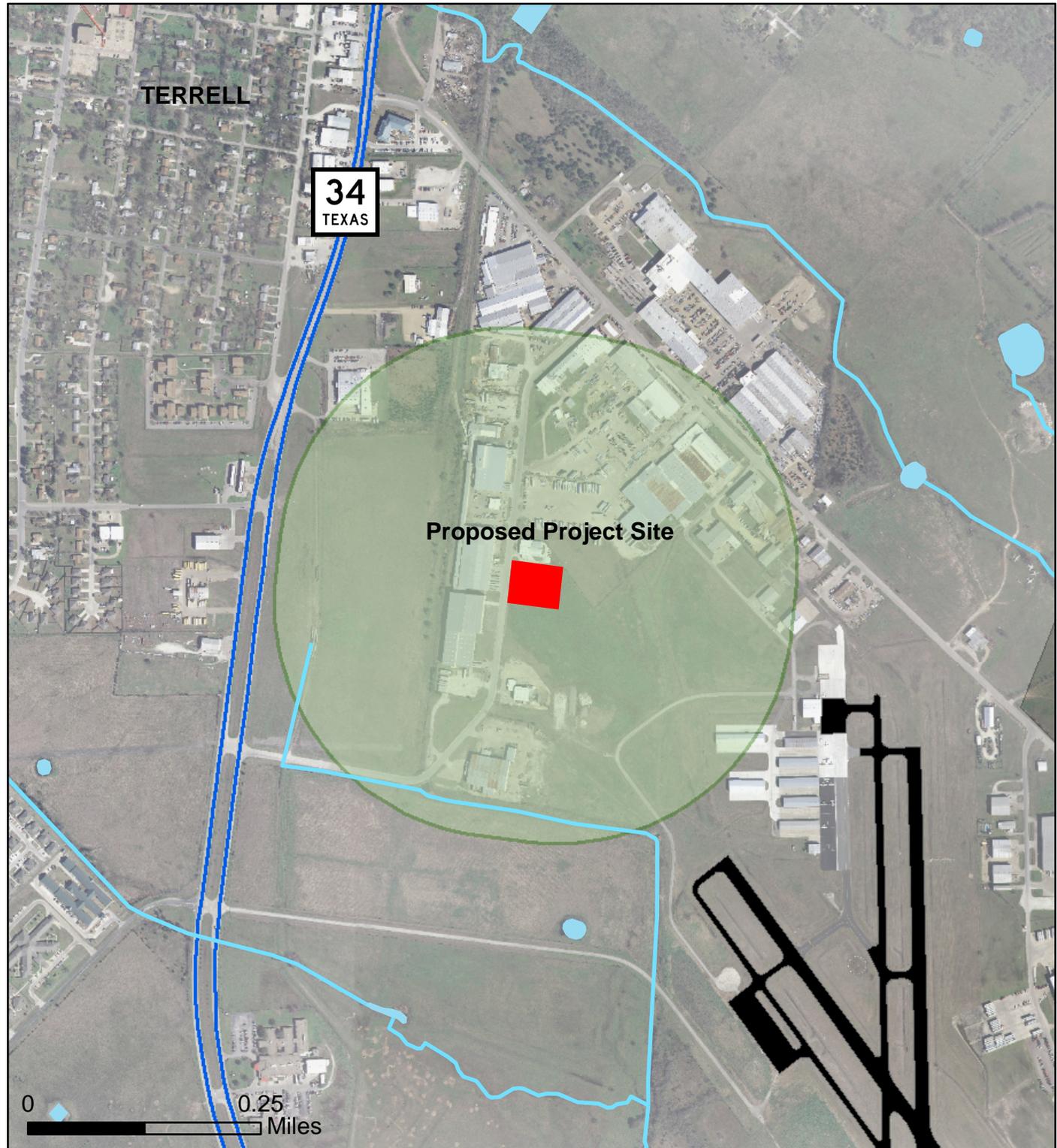
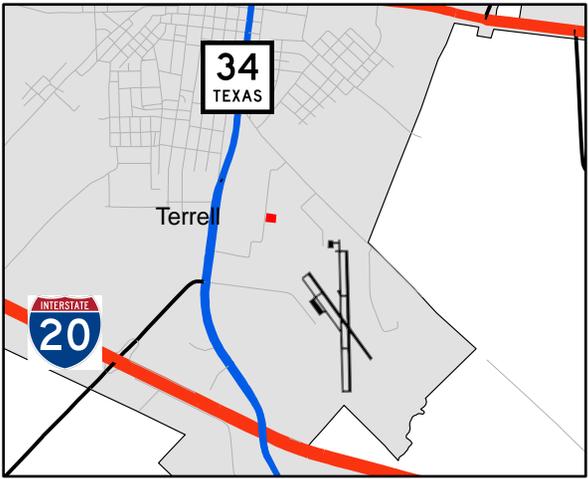


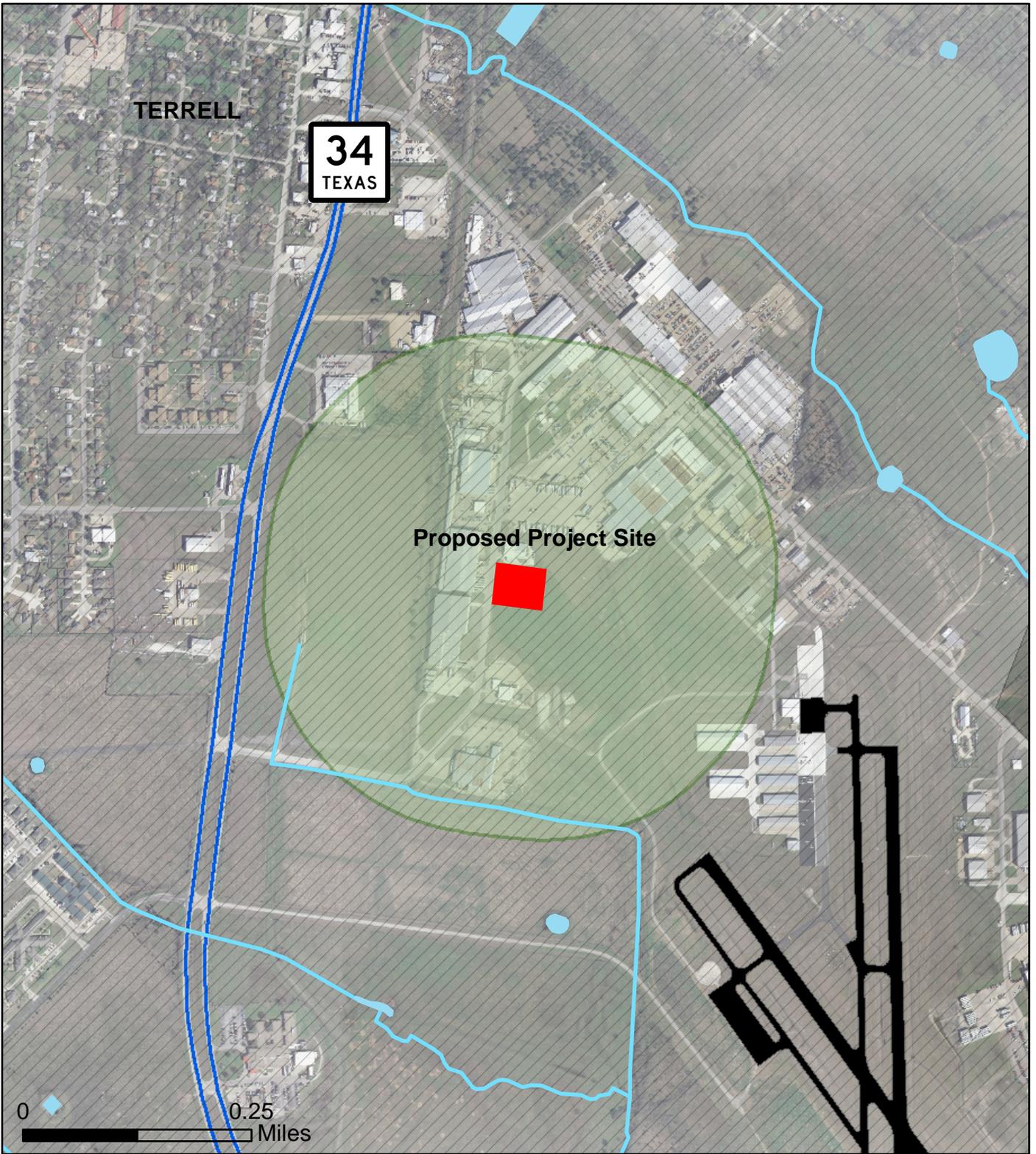
Exhibit Q Ecologically Sensitive Areas

Legend

-  Proposed Project Site
- Water Bodies**
 -  National Hydrography Database Waterbody
 -  National Hydrography Database Flowline
-  Other Native or Introductory Grasses
- Buffers**
 -  0.25 Mile Buffer
- Roads**
 -  Primary Highway
 -  Secondary Highway
- CITY**
 -  City of Terrell



Data Source: NCTCOG data sources.



North Central Texas Council of Governments

2014 Executive Board Nominating Committee

Steve Terrell, President 2013-2014, Mayor, City of Allen, 214.509.4120
sterrell@cityofallen.org

Bobbie Mitchell, President 2012-13, Commissioner, Denton County,
940.349.2805, Bobbie.Mitchell@dentoncounty.com

Linda Koop, Past President 2011-12, (972) 385-9991, lindakoop@swbell.net

Glen Whitley, Past President 2010-11, County Judge, Tarrant County,
817.884.1040, gwhitley@tarrantcounty.com

Bobby Waddle, Past President 2009-10, 972.223.8243, bgwaddle@flash.net

John Murphy, Past President, 2008-9, 972.664.9192, johnamurphy2@TX.RR.com

Chad Adams, Past President, 2007-8, 469.517.2000, cadams@victroungroup.com

T. Oscar Trevino, Jr., Past President 2006-7, Mayor, City of North Richland Hills,
817.427.6062, nrhoscar@sbcglobal.net

Bob Phelps, Past President 2004-5, 972.484.9388, bob0701@att.net

Mike Cantrell, Past President 2001-02, Commissioner Dallas County, 214.589.7060,
mcantrell@dallascounty.org

Mary Poss, Past President 2000-01, 214-738-0777, mary@dallastex.com

Ron Harris, Past President 1999-2000, 972.841.5487, ronharristx@gmail.com

Elzie Odom, Past President, 1997-8, 817.265.8804, erodom@tx.rr.com

Gary A. Slagel, Past President 1994-5, 972.220.1568, gary.slagel@CapitalSoft.com

Jim Alexander, Past President 1991-2, 940.566.0111, jralexander1@verizon.net

Bill Lofland, Past President 1990-91, 972.771.5212, bill_lofland@juno.com

Jerry Gilmore, Past President 1974-75, 214.522-1098, jerryrun@swbell.net

EXECUTIVE BOARD ATTENDANCE

June 2013 - May 2014

Name	June	July	August	September	October	November	December	January	February	March	April	May	TOTAL
Steve Terrell President	P	P	P	P	P		P	P	P				8
Kathryn Wilemon Vice- President	P	P	P	P	P		P	P	P				8
John Horn Secretary/Treasurer							P	P	P				3
Bobbie Mitchell Past President	EA	P	P	P	P		EA	P	P				2
Vonciel Jones Hill	P	EA	P	P	EA		P	P	P				6
Clay Jenkins	EA	EA	EA	P	P		P	EA	EA				3
Marcus Knight	P	P	P	EA	P		P	P	P				7
Larry Marshall, MD	P	P	P	P	P		P	P	P				8
A.J. Mathieu	P	P	P	P	P		P	P	P				8
Daniel Scarth	P	P	P	P	P		P	EA	P				7
Keith Self	P	P	P	P	P		P	P	P				8
Lissa Smith	P	P	P	P	P		P	P	P				8
Glen Whitley	EA	P	EA	P	EA		P	EA	P				4
Tony Rose - Ex Officio, Non-Voting Member	EA	EA	P	P	P		EA	EA	P				4
Bill McElhane Vice- President	P	P	P	P									4
TOTAL PRESENT	10	11	12	13	11		12	10	14				

Attendance Code: P=Present EA=Excused Absence A=Absence NM=No meeting



North Central Texas Council of Governments

TO: NCTCOG Executive Board **DATE:** February 27, 2014
FROM: Mike Eastland
Executive Director
SUBJECT: Future Calendar

In order for you to schedule your calendars in advance, here are the next Executive Board meeting dates.

April 24, 2014	Executive Board Meeting – NCTCOG Offices
May 22, 2014	Executive Board Meeting – NCTCOG Offices
June 20, 2014	GENERAL ASSEMBLY
June 26, 2014	Executive Board Meeting – NCTCOG Offices
July 24, 2014	Executive Board Meeting – NCTCOG Offices
August 28, 2014	Executive Board Meeting – NCTCOG Offices
September 25, 2014	Executive Board Meeting – NCTCOG Offices
October 23, 2014	Executive Board Meeting – NCTCOG Offices
November 20, 2014	Executive Board Meeting – NCTCOG Offices
December 18, 2014	Executive Board Meeting – NCTCOG Offices