



Executive Committee Meeting | Agenda

10:00 a.m. Wednesday, December 8, 2021
Austin Marriott South
4415 South IH - 35
Austin, Texas 78744

Judge Paul Pape, Bastrop County, **Chair**
Mayor Brandt Rydell, City of Taylor, **First Vice Chair**
Judge James Oakley, Burnet County, **Second Vice Chair**
Mayor Lew White, City of Lockhart, **Secretary**
Judge Ron Cunningham, Llano County, **Parliamentarian**
Mayor Jane Hughson, City of San Marcos, **Immediate Past Chair**
Council Member Mackenzie Kelly, City of Austin
Mayor Pro Tem Lyle Nelson, City of Bastrop
Council Member Kevin Hight, City of Bee Cave
Judge Brett Bray, Blanco County
Commissioner Joe Don Dockery, Burnet County
Judge Hoppy Haden, Caldwell County
Judge Joe Weber, Fayette County

Mayor Pro Tem Kevin Pitts, City of Georgetown
Commissioner Debbie Ingalsbe, Hays County
Mayor Christine Sederquist, City of Leander
Commissioner Steven Knobloch, Lee County
Council Member Matthew Baker, City of Round Rock
Council Member Janice Bruno, City of Smithville
Commissioner Ann Howard, Travis County
Commissioner Brigid Shea, Travis County
Commissioner Russ Boles, Williamson County
Commissioner Cynthia Long, Williamson County
Representative John Cyrier
Representative Celia Israel
Representative Terry Wilson
Representative Erin Zwiener

- 1. Call to Order and Opening remarks by the Chair**
- 2. Consider Approving Minutes for the November 10, 2021 Executive Committee Meeting**
- 3. Consider Adopting a Resolution Admitting Northtown Municipal Utility District (MUD) as an Associate Member of the Capital Area Council of Governments**
Mason Canales, Member Services Coordinator
- 4. Consider Adopting the 2022 CAPCOG Homeland Security Strategic Plan - Implementation Plan**
Martin Ritchey, Director of Homeland Security
- 5. Consider Awarding Air Quality Monitoring Contract**
Andrew Hoekzema, Director of Regional Planning and Services
- 6. Consider Approving CAPCOG Regional Criminal Justice Advisory Committee Bylaws**
Ken May, Regional Program Manager
Shelly Hargrove, Director of Community and Economic Development
- 7. Consider Approving Plan Year 2023 CAPCOG Regional Criminal Justice Policy Statement for the Criminal Justice Advisory Committee**
Ken May, Regional Program Manager
Shelly Hargrove, Director of Community and Economic Development
- 8. Consider Approving CAPCOG 20-Year Solid Waste Management Plan Update and Adopting a Resolution Authorizing the Submittal of the Regional Solid Waste Management Plan and Closed Landfill Inventory to Comply with Requirement of the Texas Commission on Environmental Quality**
Ken May, Regional Program Manager
Shelly Hargrove, Director of Community and Economic Development

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

9. Consider Approving Appointments to Advisory Committees
Deborah Brea, Executive Assistant

10. Staff Reports
Betty Voights, Executive Director

11. Adjourn



Executive Committee | Summary Minutes

10 a.m., Wednesday, Nov. 10, 2021
6800 Burleson Road
Building 310, Suite 165
Austin, Texas 78744

Present (16)

Judge Paul Pape, Bastrop County, **Chair**
Judge James Oakley, Burnet County, **2nd Vice Chair**
Mayor Lew White, City of Lockhart, **Secretary**
Judge Ron Cunningham, Llano County, **Parliamentarian**
Mayor Jane Hughson, City of San Marcos, **Immediate Past Chair**
Mayor Pro Tem Lyle Nelson, City of Bastrop
Council Member Kevin Hight, City of Bee Cave
Commissioner Joe Don Dockery, Burnet County

Commissioner Debbie Ingalsbe, Hays County
Mayor Christine Sederquist, City of Leander
Commissioner Steven Knobloch, Lee County
Council Member Mike Heath, City of Pflugerville
Council Member Matthew Baker, City of Round Rock
Council Member Janice Bruno, City of Smithville
Commissioner Russ Boles, Williamson County
Commissioner Cynthia Long, Williamson County

Absent (12)

Mayor Brandt Rydell, City of Taylor, **1st Vice Chair**
Council Member Mackenzie Kelly, City of Austin
Judge Brett Bray, Blanco County
Judge Hoppy Haden, Caldwell County
Mayor Pro Tem Kevin Pitts, City of Georgetown
Judge Joe Weber, Fayette County

Commissioner Ann Howard, Travis County
Commissioner Brigid Shea, Travis County
Representative John Cyrier
Representative Celia Israel
Representative Terry Wilson
Representative Erin Zwiener

1. Call to Order and Opening Remarks by the Chair

Judge Pape called the meeting to order at 10:05 a.m., lead the pledges of allegiance to the national and state flag, and asked if there were any opening statements. There were none.

2. Consider Approving Minutes for the October 13, 2021 Executive Committee Meeting

Judge Pape asked for approval of the October 13, 2021 Executive Committee Summary Minutes. A motion was made by Mayor White to approve the minutes. Judge Oakley seconded the motion. The motion passed unanimously.

3. Consider Accepting the Quarterly Investment Report

Lisa Bowman, Director of Finance

Ms. Bowman presented the quarterly investment report ending September 30, 2021. She said through the investment pool CAPCOG has earned about \$1,749, and its total investment are about \$28.3 million. During the quarter, the market interest rate earned about .023 percent. Ms. Bowman noted that all CAPCOG's investments are in TexPool which has not performed very well.

A motion was made by Judge Oakley to approve the quarterly investment report. Commissioner Ingalsbe seconded the motion. The motion passed unanimously.

4. Consider Approving the CAPCOG 2022 State Homeland Security Program Review Process Guidance

Martin Ritchey, Director of Homeland Security

Mr. Ritchey referred to a redlined version of the changes to State Homeland Security Program (SPHP) Process explaining the major changes to the process including one additional priority investment area — combatting domestic terrorism extremism, which the state and federal government added at the end of

the process for 2021 grants. The HSTF has defined regional capacity to include deployment, staffing for the first operational period, and participate in the regional exercise. Ms. Voights told the committee that CAPCOG continues to work on the premise that it is supposed to be building capacity for responding to catastrophic events by funding assets that are regional. The new definition allows entities to be funded that can accomplish the definition. Mr. Ritchey mentioned additional information about the CAPCOG Regional Information Communications Committee, and the Regional Cyber Task Force also was added to the review process guidance. He also noted the HSTF recommended adding and changing language to the grant process about clarifying the re-obligation of awarded funds from projects with unspent grant monies to other qualifying projects with a lesser priority level. The changes included adding unassigned funds and stating that awarded funds will be released by the grantees.

Commissioner Long questioned if there was a definition for the domestic terrorism category, because it is a highly political issue and that HSTF and the Executive Committee should be very judicious on determining projects for that category. Mr. Ritchey stated CAPCOG understands the sensitivity of the issue and the committee and staff will review and discuss all projects during the grant process. If something becomes onerous, then it will be brought before the Executive Committee for a decision. Commissioner Dockery asked if there was a way to incorporate more balance in the SHSP for rural or small communities and noted that some communities may not have the same resources to apply for the grants as larger communities. Ms. Voights responded that CAPCOG staff will assist any community with an application. Commissioner Dockery also asked if training projects funded through the grant could also occur in east and west counties and not just central.

A motion was made by Mayor Pro Tem Lyle Nelson to approve the SHSP grant process. Mayor Hughson seconded the motion. Council Member Heath questioned if Dockery's concerned had been included in the process. Judge Pape said it didn't need to if CAPCOG staff were committed to helping. The motion passed unanimously.

5. Consider Amending Contracts for Nutrition Providers – Meals on Wheels of Central Texas, Combined Community Action Inc., and Opportunities for Williamson and Burnet Counties

Patty Bordie, Director of Aging Services

Ms. Bordie stated the contract amendments before the committee were routine and to cover the increasing cost of home delivered meals as congregate sites have remained closed. The amendment also included new American Rescue Plan Act funding.

Council Member Baker asked if the increased cost was due to demand versus inflation. Ms. Bordie said it was because it was the volume of the meals being served. Judge Pape asked if nutrition providers were keeping up with the demand, and Ms. Bordie responded that they were doing so. Ms. Voights asked Ms. Bordie about eventually seeing a reduction of some of the extra funding and how that would impact clients. Ms. Bordie mentioned some requirements to qualify for meals were waved because of the pandemic, but as the pandemic funding is removed, the waivers will be, too. In some cases, consumers are being referred to other programs that support food insecurity; such referrals should increase.

A motion was made by Commissioner Dockery to approve the contract amendments. Commissioner Ingalsbe seconded the motion. The motion passed unanimously.

6. Consider Approving Plan Year 2023 CAPCOG Regional Criminal Justice Funding Priorities for the Office of the Governor, Public Safety Office's Criminal Justice Division Grants

Ken May, Regional Programs Manager

Shelly Hargrove, Community & Economic Development Director

Mr. May explained that the Criminal Justice Advisory Committee (CJAC) had reviewed surveys and other

information gathered from two stakeholder information meetings and set the priorities based on that input.

A motion was made by Commissioner Dockery to approve the Plan Year 2023 CAPCOG Regional Criminal Justice Funding Priorities. Mayor Sederquist seconded the motion.

Ms. Voights reminded the board that it would be important to look at how to distribute funding across as many good projects as possible and some direction was needed on how to make reductions in requested amounts and added that the CJAC not specifically address this issue. Commissioner Long noted that she didn't want to signal to grantees that if they apply, they will get funded. She mentioned that applicants should know they are only going to be funded to a certain amount. She said that since the CJAC did not make a recommendation, that the Executive Committee is going to have to provide direction on how scaling projects will work. Council Member Heath recommended caps or funding reductions for projects be set based on the ask, the applicant, the need, and previous years recommended budget estimate. Ms. Voights recommend proposing language in the Criminal Justice Policy Statement for full or partial funding based on the RBE, that lets them know they need to build in reductions and be prepared to make them if requested. Mayor Hughson recommend that applicants include two options with one being a reduced amount in the application but there was discussion about how applicants would ask for more than they needed.

Judge Pape called for a vote on the motion. The motion to approve the Plan Year 2023 CAPCOG Regional Criminal Justice Funding Priorities passed unanimously.

7. Consider Approving Appointments to Advisory Committees

Deborah Brea, Executive Assistant

Ms. Brea said she had not received any appointments from board members. Council Member Baker said he would like to replace Commander Andy McKinney from Rock Round with Lt. Shawn Johnson on the CJAC.

A motion was made by Mayor Sederquist to approve the CJAC appointment. Mayor Hughson seconded the motion. The motion passed unanimously.

Staff Reports

Betty Voights, Executive Director

Ms. Voights said there was a SART training webinar and mentioned a new illegal dumping law enforcement book which was dedicated to Mr. May.

Before Judge Pape adjourned the meeting, Council Member Heath introduced Pflugerville Council Member Doug Wiess who has been recommended to serve on the Executive Committee in 2022. Judge Pape told Council Member Heath that he was a valuable member of the Executive Committee and he will be missed.

Mayor Lew White, Secretary
Executive Committee
Capital Area Council of Governments

Date

EXECUTIVE COMMITTEE MEETING

MEETING DATE: December 8, 2021

AGENDA ITEM: #3 Consider Adopting a Resolution Admitting Northtown Municipal Utility District (MUD) as an Associate Member of the Capital Area Council of Governments

GENERAL DESCRIPTION OF ITEM:

The Northtown Municipal Utility District (MUD) contacted CAPCOG to become an associate member of the COG in October. At the time, the board of the Northtown MUD had already approved a resolution to join CAPCOG and was contacting CAPCOG to determine which category of associate membership they would qualify under, so they could pay their membership dues as required by the CAPCOG Bylaw, Section 2.3 — Joiner and Withdraw and join the COG.

CAPCOG determined historically MUDs have been placed into the Special-purpose Governmental Districts and submitted the Northtown MUD an invoice for membership. It has submitted its resolutions and its membership dues payment as required by the Bylaws completing its requirements to join CAPCOG and be placed on the General Assembly. CAPCOG has since sent the MUD a General Assembly Appointment form as Associate Members get one voting representative on the General Assembly. As of the mailing of the agenda, the MUD had not made an appointment.

There are 22 organizations serving as CAPCOG Associate Members most of which are school districts and other regional organizations. There are presently no other MUDs on the General Assembly.

THIS ITEM REPRESENTS A:

- New issue, project, or purchase
- Routine, regularly scheduled item
- Follow-up to a previously discussed item
- Special item requested by board member
- Other

PRIMARY CONTACT/STAFF MEMBER: Mason Canales, Member Services Coordinator

BUDGETARY IMPACT:

Total estimated cost: N/A

Source of Funds: N/A

Is item already included in fiscal year budget? Yes No

Does item represent a new expenditure? Yes No

Does item represent a pass-through purchase? Yes No

If so, for what city/county/etc.? _____

PROCUREMENT:

N/A

ACTION REQUESTED:

Adopt a resolution admitting Northtown MUD to CAPCOG as an associate member.

BACK-UP DOCUMENTS ATTACHED:

1. CAPCOG Resolution to approve Northtown MUD as new associate member
2. Article II — Membership in Council, Sections 2.1 through 2.3
3. The Northtown MUD board resolution requesting membership to CAPCOG and its dues payment.

BACK-UP DOCUMENTS NOT ATTACHED (to be sent prior to meeting or will be a handout at the meeting): **None**

RESOLUTION

Admitting Northtown Municipal Utility District into the Capital Area Council of Governments as an Associate Member

WHEREAS, the Capital Area Council of Governments (CAPCOG) represents local governments and other organizations in State Planning Region 12 who have joined together as a voluntary organization upon creation in 1970 pursuant to the Regional Planning Act of 1965, later amended as Chapter 391 of the Texas Local Government Code; and,

WHEREAS, the general purpose of CAPCOG is to encourage and facilitate local governments and other organizations in the region to cooperate with one another, other levels of government, and the private sector to plan for the future and the development of the region; and,

WHEREAS, CAPCOG's Bylaws provide for membership by organizations that submit a resolution by their governing body and membership dues through the action of the Executive Committee admitting an applicant by the adoption of a resolution; and,

WHEREAS, CAPCOG has received a request accompanied by resolution for membership passed by the governing body of Northtown Municipal Utility District (MUD), a local municipal utility district that provides water and sewer to residents within Travis County;

THEREFORE, BE IT RESOLVED that the Executive Committee of the Capital Area Council of Governments admits Northtown MUD as an Associate Member of the General Assembly and recognizes Northtown MUD's appointment of its representative to serve on the General Assembly membership effective with adoption of this resolution.

Resolution adopted by the Capital Area Council of Governments Executive Committee on this, 8th day of December 2021.

Judge Paul Pape, Chair
Executive Committee
Capital Area Council of Governments

Mayor Lew White, Secretary
Executive Committee
Capital Area Council of Governments

- (4) to serve as a vehicle for the collection and exchange of information about the Region and to provide for effective communication and coordination among member governments, other levels of government, and the private sector;
- (5) to encourage, develop, and review policies, plans, and priorities for Regional growth and development;
- (6) to furnish general and technical aid to member governments;
- (7) to facilitate agreement and cooperative action among member governments to carry out specific projects;
- (8) to maintain liaison with member governments, other levels of government, and the private sector, and to serve as a Regional spokesman for local governmental interests;
- (9) to review, coordinate, and expedite federal, state, and local governmental programs that have Regional implications; and
- (10) to develop and carry out plans and programs as directed by the Council.

ARTICLE II – MEMBERSHIP IN THE COUNCIL

Section 2.1 – Qualification for Membership

To be eligible for membership in the Capital Area Council of Governments, a local government or other organization or individual described in Section 2.2, must be located, in whole or part, in State Planning Region 12.

Section 2.2 – Categories of Membership

The categories of membership and organizations eligible for membership in the Council are:

- (1) **Full Members:** counties and municipalities.
- (2) **Associate Members:** independent and common school districts and water, drainage, conservation, and sewer, hospital, and other special-purpose governmental districts; other local, state, and federal governmental units or agencies, publicly and privately owned public utilities; and nonprofit organizations specifically concerned with health, welfare, economic, or civic development, if these organizations' membership is approved by the Executive Committee.
- (3) **Sustaining Members:** an individual or organization with a positive interest in the welfare of State Planning Region 12.

Section 2.3 – Joinder and Withdrawal

(a) An organization or individual eligible for membership in the Council may apply for membership by submitting to the Executive Committee a written resolution of its governing body, or, in the case of an individual, a written request for membership, together with the amount of dues calculated under Section 8.1. If the applicant is eligible for membership and the correct amount of dues accompanied the resolution or request, the Executive Committee shall admit the applicant as a member in the appropriate category and memorialize the admission by written resolution. The applicant becomes a member of the Council on the date the resolution is adopted.

(b) A member of the Council may withdraw its membership at any time by submitting to the Executive Committee a written resolution or, in the case of an individual, a written request of withdrawal. The Executive Committee shall memorialize the withdrawal by written resolution, and the withdrawal becomes effective when the resolution is adopted.

**RESOLUTION AUTHORIZING APPLICATION TO
THE CAPITAL AREA COUNCIL OF GOVERNMENTS**

THE STATE OF TEXAS §
 §
COUNTY OF TRAVIS §

WHEREAS, Northtown Municipal Utility District (the "District") is a political subdivision of the State of Texas, created and operating under Chapters 49 and 54 of the Texas Water Code;

WHEREAS, the District is a local government entity located within State Planning Region 12 in the Central Texas region;

WHEREAS, the District is eligible for membership in the Capital Area Council of Governments (CAPCOG) as an Associate Member pursuant to Section 2.2 of CAPCOG's bylaws; and

WHEREAS, the Board of Directors of the District recognize the benefits of membership in CAPCOG and, therefore, desire to apply for admission into CAPCOG;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF NORTHTOWN MUNICIPAL UTILITY DISTRICT THAT:

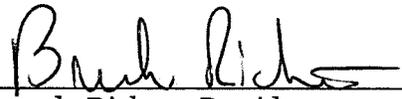
Section 1. The District requests that the Executive Committee of CAPCOG admit the District as an Associate Member of CAPCOG, with all rights and privileges pertaining thereto.

Section 2. A certified copy of this Resolution will constitute an application by the District for admission as a member of CAPCOG, as set forth above.

Section 3. The President and Secretary of the Board of Directors and the District's general counsel, Armbrust & Brown, PLLC, are authorized and directed to do any and all things necessary and proper in connection with this application.

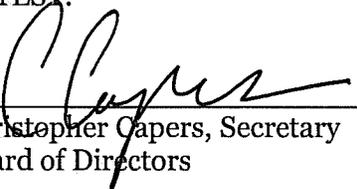
PASSED AND APPROVED this the 28th day of September, 2021.

**NORTHTOWN MUNICIPAL UTILITY
DISTRICT**



Brenda Richter, President
Board of Directors

ATTEST:



Christopher Capers, Secretary
Board of Directors

NORTHTOWN M.U.D.
MANAGER'S ACCOUNT
PO BOX 2445
ROUND ROCK, TX 78680

AMERICAN BANK OF COMMERCE
AUSTIN, TX
88-1781/1149

10113

10/26/2021

DEPOSITED

PAY TO THE ORDER OF Capital Area Council of Governments

\$ **125.00

One Hundred Twenty-Five and 00/100***** DOLLARS

Capital Area Council of Governments
6800 Burleson Road, Bldg 310, Ste 165
Austin, TX 78744

TWO SIGNATURES REQUIRED

Manly
[Signature]

MEMO
2022 Annual Membership Dues



NORTHTOWN M.U.D. / MANAGER'S ACCOUNT
Capital Area Council of Governments

Date	Type	Reference	Original Amt.	Balance Due	10/26/2021 Discount	Payment
10/15/2021	Bill	2022M 198	125.00	125.00		125.00
					Check Amount	125.00

10113

ARC



ABC Bank - Manager' 2022 Annual Membership Dues 125.00

Northtown

EXECUTIVE COMMITTEE MEETING

MEETING DATE: December 8, 2021

AGENDA ITEM: #4 Consider Adopting the 2022 CAPCOG Homeland Security Strategic Plan - Implementation Plan

GENERAL DESCRIPTION OF ITEM:

Each year the Homeland Security staff, Regional Planning Subcommittee, and regional stakeholders review and revise the *CAPCOG Homeland Security Strategic Plan Implementation Plan* (HSSP-IP). The CAPCOG HSSP-IP is the regional framework for establishing homeland security priorities and focused efforts to develop, sustain, and employ homeland security regional capabilities.

Prior to submission for Executive Committee review, the 2022 CAPCOG HSSP-IP will have been vetted and approved by the Homeland Security Task Force during their December 2, 2021, meeting.

This year’s planning efforts included virtual and in-person region local stakeholder meetings. In addition, our Implementation Plan was expanded to include planning, organizational, equipment, training, and exercise needs identified as a result of the SARS-CoV-2 (COVID-19) infectious disease outbreak/pandemic and the February 2021 extreme winter weather and the resulting cascading supply chain issues.

THIS ITEM REPRESENTS A:

- New issue, project, or purchase
- Routine, regularly scheduled item
- Follow-up to previously discussed item
- Special item requested by board member
- Other

PRIMARY CONTACT/STAFF MEMBER: **Martin Ritchey, Director of Homeland Security**

BUDGETARY IMPACT:

Total estimated cost: N/A

Source of Funds: N/A

Is item already included in fiscal year budget? Yes No

Does item represent a new expenditure? Yes No

Does item represent a pass-through purchase? Yes No

If so, for what city/county/etc.? _____

PROCUREMENT: N/A

ACTION REQUESTED:

Consider adopting the *2022 CAPCOG Homeland Security Strategic Plan - Implementation Plan* (HSSP-IP).

BACK-UP DOCUMENTS ATTACHED:

1. Overview of *2022 CAPCOG Homeland Security Strategic Plan - Implementation Plan* (HSSP-IP) related to priority projects.

BACK-UP DOCUMENTS NOT ATTACHED (to be sent prior to meeting or will be a handout at the meeting):

1. *2022 CAPCOG Homeland Security Strategic Plan - Implementation Plan* (HSSP-IP)

CAPCOG Homeland Security Strategic Plan Implementation Plan (HSSP-IP) 2022 Summary

Document Purpose: The HSSP-IP establishes how CAPCOG activities support the overarching strategic goals of the state in the realm of Homeland Security. The Implementation Plan utilizes information from the THIRA, SPR, and other documents to show what activities and projects the CAPCOG region accomplished in the last year and has planned for the next year that tie into the Goals and Objectives established by the Governor's *Texas Homeland Security Strategic Plan for 2021-2025*. This document most closely ties into the grant funding/investment areas established at the state level and is an opportunity for the CAPCOG Region to make a note of homeland-security related goals, needs, and projects. This document is submitted annually to the Texas Office of Homeland Security by December 31st.

Document Summary: The CAPCOG HSSP-Implementation Plan for 2022 (Calendar Year) emphasizes those regional projects and initiatives which specifically support the state homeland security goals and objectives which also may meet specific grant-related investment areas as identified by the Office of the Governor. The THIRA and SPR documents support the core capabilities and priorities tied to these goals, objectives, and investment areas and are referenced accordingly. The investment area priorities identified in the IP include:

- Enhancing Cybersecurity
- Combatting Violent Domestic Extremism
- Enhancing the Protection of Soft Targets/Crowded Places
- Addressing Emergent Threats
- Enhancing Information and Intelligence Sharing and Analysis
- Addressing Cascading Infrastructure/Supply Chain Failure

These may tie to specific projects or activities sponsored by CAPCOG or individual jurisdictions in the next year.

The CAPCOG HSSP-IP identifies which Objectives under the five total Goals set by the *Texas Homeland Security Strategic Plan for 2021-2025* the COG is actively working to support, through recent achievements and projects or initiatives within the elements identified by the region. The CAPCOG HSSP-IP only notes those Goals and Objectives from the Texas HSSP that CAPCOG has completed or is planning applicable activities and projects.

The Goals and Objectives identified for this year are as follows:

Goal 1: Prevent: Prevent terrorist attacks and organized criminal activity in Texas.

- Objective 1.1: Expand and enhance the statewide intelligence capability that reduces the threat of terrorism and criminal enterprises, with an emphasis on proactive intelligence.
- Objective 1.2: Combat the activities of criminal enterprises through coordinated law enforcement operations, investigations, and supporting programs.

- Objective 1.4: Increase public awareness and reporting of suspicious activities related to crime and terrorism.

Goal 2: Protect: Reduce the State’s vulnerability to terrorist and criminal attacks and natural and technological disasters.

- Objective 2.2: Reduce the risk of chemical, biological, radiological, nuclear, and high-yield explosives (CBRNE) incidents by enhancing control and early detection capabilities.
- Objective 2.5: Enhance the safety of Texas schools against all threats and hazards.
- Objective 2.6: Enhance statewide cybersecurity efforts to protect information assets.

Goal 3: Mitigate: Minimize the impact of terrorist and criminal attacks and natural and technological disasters through proactive mitigation planning and programs.

- Objective 3.3: Enhance the social resilience of Texas communities.

Goal 4: Respond: Increase the capability of the State’s response system to minimize damage and loss of life from terrorist and criminal attacks and natural and technological disasters.

- Objective 4.1: Enhance the systems and organizational structures that coordinate and manage response operations to ensure unified, efficient effort.
- Objective 4.2: Build and maintain the response teams and qualified personnel essential to all-hazard response operations.
- Objective 4.3: Achieve statewide communications operability and interoperability in Texas.
- Objective 4.4: Ensure continued enhancement of public health and medical emergency response systems.
- Objective 4.5: Expand statewide capacity to rapidly and effectively assist government agencies in responding to cyberattacks.
- Objective 4.6: Integrate and coordinate multiple methods to warn and keep the public and local leaders informed about emergencies in their communities.
- Objective 4.7: Ensure updated and validated emergency plans are in place at public agencies that provide vital services and encourage such planning within private entities.
- Objective 4.8: Ensure access to and adequate support for homeland security and emergency preparedness and response training across all agencies, jurisdictions, and disciplines.
- Objective 4.9: Conduct exercises across the state that include tribal, regional, and local entities and support the National Exercise Program (NEP) Principals’ Objectives.

Goal 5: Recover: Ensure rapid, effective, and comprehensive community recovery following terrorist or criminal attacks and natural or technological disasters.

- Objective 5.2: Strengthen preparedness for whole community recovery through outreach programs, training, and exercise.

Several regional projects and initiatives support multiple goals and objectives simultaneously. The majority of projects are centered around response-related capabilities.

EXECUTIVE COMMITTEE MEETING

MEETING DATE: December 8, 2021

AGENDA ITEM: #5 Consider Awarding Air Quality Monitoring Contract

GENERAL DESCRIPTION OF ITEM:

The Regional Planning and Services Division is seeking approval to award a contract for air quality monitoring services to Weston Solutions, Inc., to maintain and operate CAPCOG’s network of air pollution monitoring stations located throughout the Austin-Round Rock-Georgetown Metropolitan Statistical Area (MSA). CAPCOG operates a network of eight air quality monitoring stations across the five-county MSA to collect data on ground-level ozone (O₃), particulate matter (PM), and meteorological conditions to support regional air quality planning, scientific assessments of regional air pollution, and reporting real-time public information on air quality conditions to help residents protect their health. WESTON’s proposal scored highest of the two CAPCOG received.

O₃ and meteorological monitoring will be conducted between March 1, 2022, and November 15, 2022, at CAPCOG’s eight existing monitoring stations, and will be paid for using Fiscal Year 2022-2023 TCEQ Rider 7 Local Air Quality Planning grant funding. A small portion of the contract will involve ensuring that existing low-cost PM sensors installed at CAPCOG’s monitoring stations are properly reporting data. This activity will not be eligible for TCEQ funds, so it will be paid for using local air quality funding contributed by Clean Air Coalition members. The total contract amount includes allowances for the deployment of up to two additional monitoring stations prior to the end of 2022 and additional contingency projects.

THIS ITEM REPRESENTS A:

- New issue, project, or purchase
- Routine, regularly scheduled item
- Follow-up to a previously discussed item
- Special item requested by board member
- Other

PRIMARY CONTACT/STAFF MEMBER: **Andrew Hoekzema, Director of Regional Planning and Services**

BUDGETARY IMPACT:

Total estimated cost: \$130,000.00
Source of Funds: TCEQ Rider 7 grant (for O₃) and local air quality funding (for PM)
Is item already included in fiscal year budget? Yes
Does item represent a new expenditure? Yes No
Does item represent a pass-through purchase? Yes No
If so, for what city/county/etc.? n/a

PROCUREMENT: Request for Proposals

ACTION REQUESTED:

Approve a contract with Weston Solutions Inc., for air monitoring services for 2022 for an amount not to exceed \$130,000.00, with the option for a one-year extension

BACK-UP DOCUMENTS ATTACHED:

1. Memo on 2022 Air Quality Monitoring Services Procurement and Recommendation
2. Map of Monitoring Stations
3. Weston Solutions, Inc. Proposal

BACK-UP DOCUMENTS NOT ATTACHED (*to be sent prior to meeting or will be a handout at the meeting*): **None**



BASTROP BLANCO BURNET CALDWELL FAYETTE HAYS LEE LLANO TRAVIS WILLIAMSON

MEMORANDUM
11/19/2021

TO: CAPCOG Executive Committee

FROM: Andrew Hoekzema, Director of Regional Planning and Services

RE: 2022 Air Monitoring Contract Procurement and Recommendation

On October 18, 2021, CAPCOG issued a request for proposals (RFP) for a contract for air quality monitoring services to maintain CAPCOG’s network of eight air monitoring stations in Bastrop, Caldwell, Hays, Travis, and Williamson Counties in 2022. CAPCOG received two proposals – one from Weston Solutions, Inc. (WESTON), which has been CAPCOG’s air monitoring contractor since 2019, and one from Montrose Air Quality Services (Montrose). The RFP identified two core tasks and an additional four contingency tasks:

- Core Tasks:
 1. Ozone (O₃) and Meteorological Monitoring at CAPCOG’s eight existing monitoring stations March 1, 2022 – November 15, 2022 (to be paid for using TCEQ funding)
 2. Ensuring the reporting of Purple Air Particulate Matter (PM) sensors installed at CAPCOG monitoring stations through December 31, 2022 (to be paid for using local air quality funding from Clean Air Coalition members)
- Contingency Tasks:
 3. Establishing new O₃ monitoring stations (to be paid for using TCEQ funding)
 4. Decommissioning any existing O₃ monitoring stations, if needed (to be paid for using TCEQ funding)
 5. Installation of research-grade PM monitors at a new site or existing O₃ monitoring site (in the event of any additional monitoring funding becoming available)
 6. Installation and maintenance of Nitrogen Oxides (NO_x) Monitors at Existing O₃ Monitoring Sites (using TCEQ funding or any additional monitoring funding that may become available)

An evaluation committee, which included staff from the City of Buda, the City of Cedar Park, Austin White Lime, and a Public Citizen representative, who serve on the Clean Air Coalition Advisory Committee (CACAC), reviewed and scored the proposals on November 18, 2021 with the following results:

Table 1. Evaluation Committee Average Scores

Criteria	Max Possible	WESTON	Montrose
Work Plan for Tasks 1-2	30.00	28.75	22.00
Management Plan and Qualifications	30.00	28.75	22.25
Budget for Tasks 1-2	30.00	28.75	11.50
Contingency Tasks 3-6	10.00	9.25	5.00
TOTAL	100.00	95.50	60.75

I am recommending that CAPCOG award a contract for \$130,000.00 to WESTON for one year, with an option for a one-year renewal.

Contract Total

The proposed contract total includes the amounts required for the core tasks 1 and 2, the commissioning of up to two additional O₃ monitoring stations under task 3, and decommissioning costs under Task 4 (budgeted to account for the possibility of loss of funding, which would necessitate decommissioning). A small additional budget is included to cover unanticipated contingencies, which have typically been about \$5,000 per year. The following table summarizes these costs.

Table 2. Contract Cost Summary

Task	Amount	Funding Source
Task 1 – O ₃ Monitoring at Existing Stations	\$84,480.00	TCEQ
Task 2 – PM Sensor Checks	\$3,060.00	CAC Members
Task 3 – Commission and Operate New Site (2)	\$26,885.00	TCEQ
Task 4 – Decommission Sites (if needed)	\$7,200.00	TCEQ
Other Contingencies	\$8,375.00	TBD
TOTAL	\$130,000.00	n/a

At the moment, CAPCOG is not including tasks 5 and 6 into the contract. CAPCOG may decide to pursue these tasks in the future. Such task addition, if large enough to require board approval, would be brought back to the Executive Committee to account for these additional costs.



Capital Area Council of Governments

6800 Burleson Road, Building 310, Suite 165

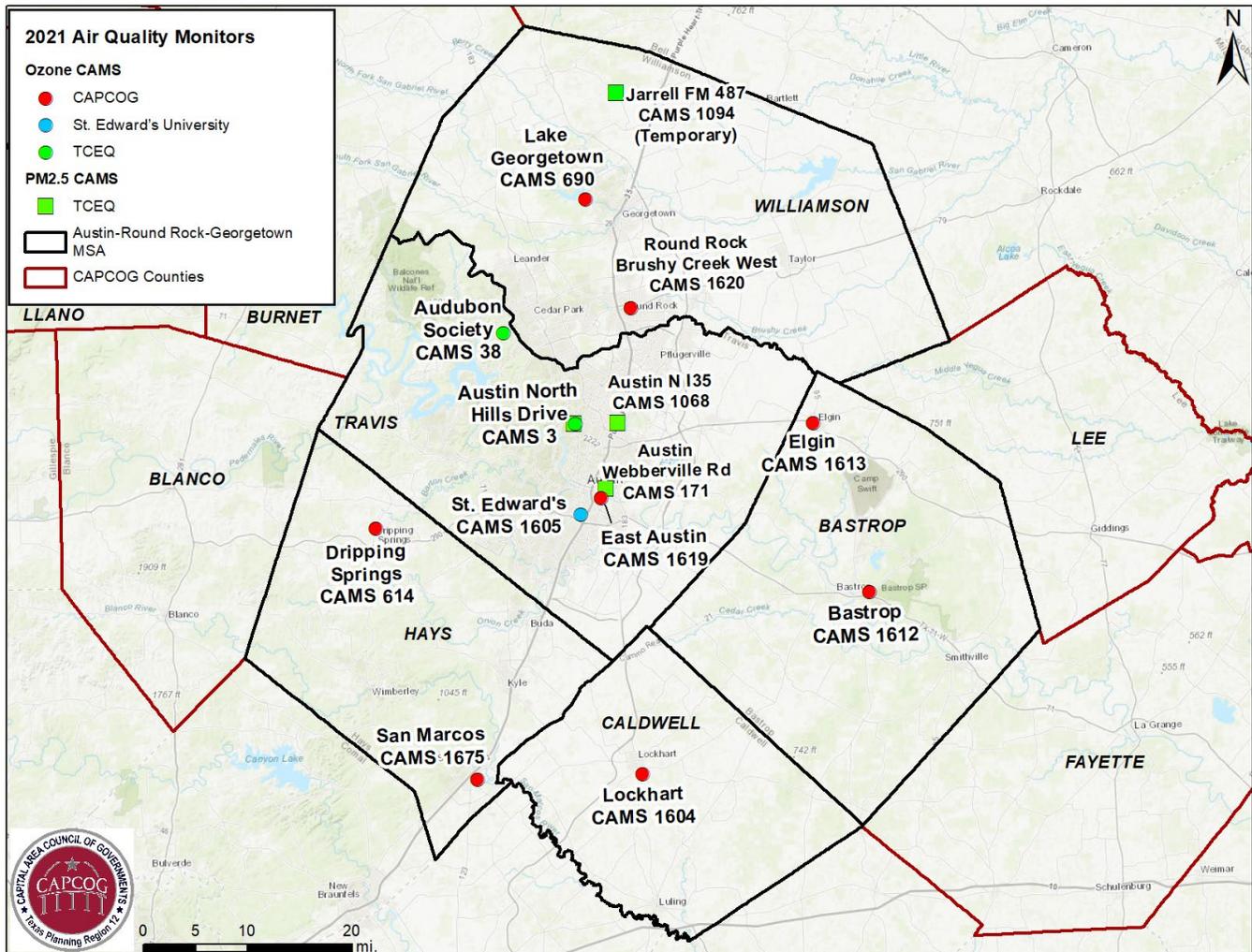
Austin, Texas 78744-2306

Ph: 512-916-6000 Fax: 512-916-6001

www.capcog.org

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Map of 2021 Ozone and Fine Particulate Matter (PM_{2.5}) Continuous Ambient Monitoring Stations (CAMS) in the Austin-Round Rock-Georgetown MSA



EXECUTIVE COMMITTEE MEETING

MEETING DATE: December 8, 2021

AGENDA ITEM: #6 Consider Approving CAPCOG Regional Criminal Justice Advisory Committee Bylaws

GENERAL DESCRIPTION OF ITEM:

The CJAC Program Funding Priorities and edits to the CJAC Bylaws and Policy Statement were discussed by the CJAC during their November 9, 2021 meeting as well as with the Executive Committee at its November 10th meeting; this is the follow-up item to amend the bylaws as discussed. The CJAC's recommended updates include the requirement that newly appointed CJAC members and newly appointed alternates must attend an orientation meeting within 3 months of their appointment and such orientation must occur prior to the scoring meetings, and a requirement that each CJAC member, including alternates, must sign a Conflict-of-Interest Form annually. The section on Designating Alternates has been updated to indicate that alternates must be appointed no later than 60 days prior to the scoring meetings, annotate that alternates are appointed solely to participate in the CJAC scoring meetings in place of the appointed CJAC member, and require alternates to attend an orientation meeting prior to participating in scoring meetings. The Bylaws Conflict of Interest section have been updated to prevent a sitting CJAC Member from presenting to the CJAC, require one with a conflict not score the fund source in conflict, require they leave the room during the fund source scoring, and defines how this would work in a virtual meeting.

Once the CJAC Bylaws amendments are approved by the Executive Committee, they will be uploaded to the OOG/PSO/CJD website and made available to applicants for their information.

THIS ITEM REPRESENTS A:

- New issue, project, or purchase
- Routine, regularly scheduled item
- Follow-up to a previously discussed item
- Special item requested by board member
- Other

PRIMARY CONTACT/STAFF MEMBER:

Ken May, Regional Programs Manager
Shelly Hargrove, Director, Community & Economic Development

BUDGETARY IMPACT:

Total estimated cost: N/A

Source of Funds: N/A

Is item already included in fiscal year budget? Yes No

Does item represent a new expenditure? Yes No

Does item represent a pass-through purchase? Yes No

If so, for what city/county/etc.? _____

PROCUREMENT: N/A

ACTION REQUESTED:

Approve amendments to the CAPCOG Regional Criminal Justice Advisory Committee Bylaws.

BACK-UP DOCUMENTS ATTACHED:

1. Draft CAPCOG Plan Year 2023 Criminal Justice Advisory Committee Bylaws

BACK-UP DOCUMENTS NOT ATTACHED (*to be sent prior to meeting or will be a handout at the meeting*): **None**

Bylaws

Criminal Justice Advisory Committee (CJAC)

of the

Capital Area Council of Governments

Article I – Name and Responsibilities

The name of this committee shall be the Criminal Justice Advisory Committee (CJAC). The CJAC was created as a voluntary, unincorporated association by resolution of the Capital Area Council of Governments (CAPCOG) adopted February 23, 1982.

The responsibilities of the Criminal Justice Advisory Committee are to promote, foster, and coordinate community planning of criminal justice, juvenile justice, and victim services-related activities in CAPCOG State Planning Region 12; review and prioritize applications for criminal justice funds by local entities; perform other tasks as assigned by contractual agreement with the Office of the Governor, Criminal Justice Division; and perform other tasks as directed by the CAPCOG Executive Committee.

Article II – Membership

Number

The Criminal Justice Advisory Committee shall be composed of at least 17 members appointed by the CAPCOG Executive Committee, representing the following geographical areas:

<u>County/City</u>	<u>Number of Representatives</u>
Bastrop County	1
Blanco County	1
Burnet County	1
Caldwell County	1
Fayette County	1
Hays County	2
Lee County	1
Llano County	1
Travis County	3
City of Austin	3
Williamson County	2
City of Round Rock	1

Qualifications

1. Committee members must reside or work in the county they are to represent.
2. Committee members should represent one of the following disciplines: citizens or parents, drug abuse prevention, education, juvenile justice, law enforcement, mental health, nonprofit organizations, prosecution/courts, and victim services. No single group/discipline may constitute more than one-third (1/3) of the CJAC.
3. Committee members should be representatives of the population of State Planning Region 12 in terms of sex, ethnicity, age, geography, and socioeconomic status.
4. In the event the CJAC representation by geography fails to represent the required disciplines, the CAPCOG CJ Planner may make a recommendation to the CAPCOG Executive Committee to add an at-large position. The at-large position will represent the discipline needed and will not be counted as or replace a geographical CJAC appointment.

5. At-large members must live or work within State Planning Region 12.
- ~~5-6.~~ Newly appointed members must attend an orientation meeting with the CAPCOG designated Committee liaison within 3 months of their appointment date.

Designated Alternates

1. A CAPCOG Executive Committee member who represents the same geographic area as a CJAC member shall designate an alternate to serve in the stead of the CJAC member, with approval from the CAPCOG Executive Committee. An alternate should be appointed within 3 months of a new CJAC member's appointment and must be appointed no later than 60 days prior to the scoring meetings.-
2. Alternates are appointed solely to participate in the CJAC scoring meetings in place of the appointed CJAC member.
- ~~2-3.~~ The same qualifications for being a CJAC member will apply to designated alternates.
- ~~3-4.~~ Alternates must be in the same discipline as the CJAC member they represent.
- ~~4-5.~~ The appointing CAPCOG Executive Committee has the discretion to replace an alternate designated to represent their area at any time, and for any reason upon approval by the CAPCOG Executive Committee.
6. Designated alternates remain in their position while the CJAC member they are designated to represent is a CJAC member, unless they are replaced as the designated alternate. Alternates have full voting rights in the absence of the CJAC member which they are designated to represent.
- ~~5-7.~~ Designated alternates must attend an orientation meeting with the CAPCOG designated Committee liaison within 3 months of their appointment date. Alternates must attend such orientation meeting prior to participating in scoring meetings.

Term

1. The term of appointment for a member of the Committee shall begin on the date of appointment by the CAPCOG Executive Committee, and be through December 31st of odd numbered years.
2. A member may be reappointed by the CAPCOG Executive Committee for up to 10 years consecutive service.
3. After the tenth year of service, the CAPCOG CJ Planner will ask the CJAC member if they would like to continue to serve on the CJAC or if they would like to step down. Either outcome requires approval from the appointing Executive Committee member. If the original appointing Executive Committee member is no longer available, then the task of review falls to the current Executive Committee member.
4. In the case of a vacancy, the CAPCOG Executive Committee shall appoint a replacement to serve for the remainder of the unexpired term.

Vacancy

A vacancy occurs when

1. A member dies; or
2. A member's term expires and the member is not reappointed; or
3. A member resigns in writing to the CAPCOG Committee liaison and the Committee Chair with notification to the Executive Committee at its next regular meeting. Executive Committee members representing areas where a CJAC member has resigned will be notified of the resignation in writing. In the event an at-large CJAC member resigns, the information will be made available to the Executive Committee as a whole.

Attendance/ Removal

1. Members are expected to attend all meetings.
2. If a committee member is unable to attend a meeting their designated alternate should attend in their stead.
3. Attendance records documenting Committee member absences will be maintained by the CAPCOG Committee liaison. If a member is unable to attend a scheduled meeting, notification must be provided to the CAPCOG Committee liaison at least two business days prior to the meeting for an absence to be excused; notification must be received in sufficient enough time to ensure there will

be a quorum. Non-attendance at a CJAC meeting without notification to the CAPCOG committee liaison will be considered an unexcused absence.

4. A member will be removed when, within one calendar year, he/she misses 50% of the minimum number of meetings to be held OR two (2) consecutive meetings with at least one of the meetings being an unexcused absence, whichever is greater. The member, as well as the appointing Executive Committee member, will be notified of the removal in writing.
5. Members so removed may appeal in writing to the CAPCOG Executive Committee within two (2) weeks of the date of notification. Appeals will be dealt with in a timely manner and the member will be notified in writing of the decision.
6. A member may be removed for good cause by the CAPCOG Executive Committee.
7. A member who no longer satisfies the qualification requirement in this document is removed from the committee.

Article III – Officers

Election

The election of the Chair and Vice-Chair will occur at the first meeting of the calendar year.

Term

1. Officers serve one-year terms, beginning on the date they are elected.
2. Officers may serve a maximum of two (2) consecutive terms.

Vacancies

In the event of either officer is unable to complete his/her term, the Committee will elect a replacement at the next meeting to serve the remainder of the term.

Duties

1. The Chair shall preside at all meetings of the Committee. The Chair shall represent the Committee in presentations to the CAPCOG Executive Committee unless such responsibility is delegated by the Chair.
2. In the case of a tie during a vote at which a quorum is present, the Chair will be deemed to have the authority to break the tie.
3. The Vice-Chair shall perform all the duties of the Chair in the case of absence or disability and such other duties as may arise, from time to time, when required or requested by the Committee.
4. In case the Chair and Vice-Chair are absent or unable to perform their duties, the Committee may appoint a Chair pro tem.
5. If an officer is represented by their alternate at a meeting, the office does not convey to the officer's designated alternate.

Other Officers

The Committee may elect other Officers from time to time to carry out its responsibilities. This may be done by a simple majority vote of the Committee members at any meeting where a quorum is present.

Article IV – Meetings

Policy and Procedures

1. A CAPCOG staff member, designated by the CAPCOG Executive Director, shall serve as Committee liaison and shall attend each CJAC meeting.
2. The Criminal Justice Advisory Committee may adopt rules and regulations governing the grant application process, in the form of a Policy Statement, to conform to federal and state grant management policies and procedures.

3. A representative of the CAPCOG Executive Committee may serve on the CJAC.

Regular Meetings

1. The Committee shall meet on a day, time and place specified by the CAPCOG Executive Director, the CAPCOG Committee liaison or the Committee as a whole.
2. Written notice, including an agenda, of each regular meeting shall be prepared by the CAPCOG Committee liaison and mailed, or electronically transmitted, or hand-delivered to each Committee member at least five (5) business days before the meeting date.

Special Meetings

1. The Committee shall meet specially if called by the CAPCOG Executive Director, the CAPCOG Committee liaison, the Committee Chair or if requested in writing by at least one-third of the membership, excluding vacancies, of the Committee.
2. A request by the membership for a special meeting must be in writing, addressed to the Chair, and describe the purpose or purposes of the meeting. Only that business reasonably related to the purpose or purposes described in the request may be conducted at a special meeting.
3. Notice of any special meeting shall be given at least 72 hours prior to the special meeting.

Quorum and Action

1. A majority of the total voting membership, excluding vacancies, constitutes a quorum for conducting Committee business.
2. A majority vote of the members present at a meeting at which a quorum is present is necessary for action by the Committee. During a meeting at which a quorum has been established, and then subsequently lost due to members leaving, all remaining business items requiring a Committee vote or action must be postponed until the next scheduled meeting at which a quorum is established.
3. Minutes of Committee meetings, documents distributed, and other records are property of CAPCOG and shall be maintained in accordance with CAPCOG's Records Retention Schedule. These materials are available for public view, at CAPCOG's offices or upon receipt of a written request by the interested party. The Committee liaison representing the Capital Area Council of Governments shall be the recording clerk.

Open Meetings and Records

1. All meetings of the Committee shall be open to the public. The meetings are subject to the Texas Open Meetings Act. The Open Meetings Act may be found in the Government Code, Chapter 551.
2. Written meeting minutes will be distributed to all CJAC committee members no later than 45 days after a meeting.
3. Except where these bylaws require otherwise, Robert's Rules of Order shall govern the conduct of Committee meetings.

Conflict of Interest

1. Members of the CAPCOG's governing body, Criminal Justice Advisory Committee members and CAPCOG staff members must abstain from voting and leave the room for any application during the prioritization process if the member, planner, or an individual related to the member or planner within the third degree of consanguinity or within the second degree by affinity:
 - a. is employed by the applicant agency and works for the unit or division that would administer the grant if awarded; or
 - b. serves on any board that oversees the unit or division that would administer the grant if awarded; or
 - c. owns or controls any interest in a business entity or other non-governmental organization that benefits, directly or indirectly, from activities with the applicant agency; or
 - d. receives any funds from the applicant as a result of the grant; or

- e. uses or receives a substantial amount of tangible goods, services, or funds from the applicant.
2. If a member must abstain from voting, or taking any action on any grant application, the member must also abstain from voting, cannot present to the CJAC, and must leave the room, for the review and scoring ~~on~~of any competing grant applications within that funding source during the prioritization process. In a virtual setting, a member will “leave the room” by exiting the meeting platform.
3. At the beginning of each prioritization meeting, the chair of the committee shall request members to clearly identify any possible conflict of interest when scoring applications.
4. Members will clearly state their abstention from voting on certain applications and will not speak on behalf of or in support of an applicant.
5. Members shall write, “ABSTAIN” on each score sheet of each application they do not score due to a conflict of interest.
6. The tabulation of scores for an application is based on the number of members eligible to vote.
- 6.7. Each member, including designated alternates, must sign a conflict of interest form annually.

Professional Conduct

Committee members should maintain objectivity and professionalism when carrying out business of the Committee. Committee members will not discriminate based on race, color, religion, sex, sexual orientation, gender identity, national origin, disability, or age. In the event that a Committee member acts in a manner which brings the work of the Committee into question or controversy, it shall be the responsibility of the CAPCOG Executive Director to address the incident with the appointing member of the Executive Committee and if appropriate, to recommend removal from the Committee to the Executive Committee.

Article V – Ad Hoc Committees

Appointment

Ad hoc committees may be appointed by the Chair with the approval of the Committee and shall serve for special purposes to comply with special needs.

Term

Membership on ad hoc committees shall be established to achieve the purpose for which the ad hoc committee was created.

Meetings

The method for calling ad hoc committee meetings shall be the same as that for calling Committee meetings or at the discretion of the ad hoc committee membership to discharge their responsibility.

Officers

The Chairs of the ad hoc committees shall be appointed by the Chair of the Committee.

Article VI – Amendments

By CAPCOG Executive Committee

1. The Criminal Justice Advisory Committee may amend these bylaws at a regular or special meeting. The written text of a proposed amendment must be included with the notice of the meeting at which the amendment will be considered.
2. An amendment adopted by the Criminal Justice Advisory Committee is not effective unless approved by the CAPCOG Executive Committee.
3. An Amendment to the bylaws takes effect when approved by the CAPCOG Executive Committee unless the amendment specifies a later effective date. Copies of amended bylaws will be distributed to Committee members by the Committee liaison.

Bylaws History

Adopted 2/82

Revised 3/97

Revised 8/97

Revised 4/98

Revised 12/99

Revised 2/01

Revised 9/01

Revised 10/02

Revised 11/03

Revised 11/04

Revised 11/05

Revised 3/07

Revised 12/08

Revised 1/10

Revised 5/2012

Revised 11/2016

Revised 7/2017

Revised 12/2018

Revised 03/2019

Revised 12~~1~~/2021

EXECUTIVE COMMITTEE MEETING

MEETING DATE: December 8, 2021

AGENDA ITEM: #7 Approve Plan Year 2023 CAPCOG Regional Criminal Justice Policy Statement for the Criminal Justice Advisory Committee

GENERAL DESCRIPTION OF ITEM:

Each year CAPCOG receives an Interlocal Cooperation Agreement from the Office of the Governor, Public Safety Office's Criminal Justice Division (OOG/PSO/CJD), reviews the requirements and deliverables, and updates the CAPCOG Criminal Justice Policy Statement. The Policy Statement documents the policies and procedures and establishes the rules and regulations that will govern the Criminal Justice Advisory Committee (CJAC).

The CJAC Policy Statement amendments, which tie with the Bylaws, were approved by the CJAC during their November 9, 2021 meeting and address several issues including fund source information updates directed by the OOG/PSO/CJD, mandatory grant writing workshop attendance, and conflict of interest changes and clarify virtual meetings process. It has also been updated to require applicants submit a Project Summary Sheet identifying items not empirical on the application, and to require applicants to be prepared to discuss reductions to areas of their budgets during the CJAC's project review process by either a percentage reduction of the total request or identifying specific items in the budget that can be reduced or deleted.

The CJAC Policy Statement when approved by the Executive Committee is uploaded to the OOG/PSO/CJD website for their information and provided to applicants to help them submit a better application for consideration.

THIS ITEM REPRESENTS A:

- New issue, project, or purchase
- Routine, regularly scheduled item
- Follow-up to a previously discussed item
- Special item requested by board member
- Other

PRIMARY CONTACT/STAFF MEMBER:

Ken May, Regional Programs Manager
Shelly Hargrove, Director of Community & Economic Development

BUDGETARY IMPACT:

Total estimated cost: N/A

Source of Funds: N/A

Is item already included in fiscal year budget? Yes No

Does item represent a new expenditure? Yes No

Does item represent a pass-through purchase? Yes No

If so, for what city/county/etc.? _____

PROCUREMENT: N/A

ACTION REQUESTED:

Approve the Plan Year 2023 CAPCOG Regional Criminal Justice Program Policy Statement.

BACK-UP DOCUMENTS ATTACHED:

1. Draft CAPCOG Plan Year 2023 Criminal Justice Program Policy Statement

BACK-UP DOCUMENTS NOT ATTACHED (*to be sent prior to meeting or will be a handout at the meeting*): **None**



6800 Burleson Road, Building 310, Suite 165
Austin, Texas 78744-2306
Ph: 512-916-6000 Fax: 512-916-6001
www.capcog.org

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Capital Area Council of Governments Criminal Justice Advisory Committee (CJAC) PY ~~2022~~–2023 Policy Statement

The following policies and procedures are established for the purpose of defining the rules and regulations that will govern the Capital Area Council of Government's (CAPCOG's) Criminal Justice Advisory Committee (CJAC) application review and prioritization process for designated funding streams controlled by the Public Safety Office's Criminal Justice Division (PSO) of the Office of the Governor. In addition, these policies and procedures govern the operation of CAPCOG's Criminal Justice Planning as outlined in the Interagency Cooperation Agreement between the PSO and CAPCOG as it relates to CAPCOG's CJAC.

COMPLIANCE WITH ADMINISTRATIVE RULES AND REGULATIONS

All policies, rules, and regulations outlined in this document comply with the Texas Administrative Code (TAC), Title 1, Part 1, Chapter 3, and the state and federal statutes, rules, and regulations adopted by reference in Texas Administrative Code.

1 TAC Part 1, Chapter 3; Applicability, Subchapters A, B, D, E, and F of this chapter applies to all applications for funding and grants submitted to the PSO Office of the Governor. Subchapter A covers the general provisions for grant funding. Subchapter B addresses general eligibility and budget rules for grant funding. Subchapter D provides rules detailing the conditions PSO may place on grants. Subchapter E sets out the rules related to administering grants. Subchapter F specifies rules regarding program monitoring and audits. Information regarding the TAC and the Office of the Governor' rules can be viewed on the website of the Texas Secretary of State, at:

[http://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=3&ti=1&pt=1](http://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=3&ti=1&pt=1)

All meetings of the CJAC will be held in compliance with the general provisions of the Government Code, Chapter 551. Texas Open Meetings Act, which can be viewed online at:

<http://www.sos.state.tx.us/texreg/index.shtml>

CRIMINAL JUSTICE-RELATED STRATEGIC PLANNING

CAPCOG's Criminal Justice Strategic Plan includes priorities identified by stakeholders, communities, and agencies in the CAPCOG region, including, non-profit organizations, municipalities, counties, citizens or parents, substance abuse prevention, law enforcement, mental health, prosecution or courts, juvenile justice, education, and/or victim services. While forming this plan, participants identify: community problems and resource needs; develop realistic goals, strategies, tasks, and performance measures; collect relevant supporting data; describe potential

implementation plans; and, identify existing efforts and resources. Priorities are established based on this information.

GRANT APPLICANT ELIGIBILITY

Criminal justice-related grant solicitations include eligibility requirements set by the Office of the Governor, PSO. Please refer to the eGrants website at the following link to review applicant eligibility requirements:

<https://egrants.gov.texas.gov/>

OFFICIAL GRANT APPLICATION SUBMISSION

- A. Grant applications must be submitted directly to the PSO via the online eGrants web-based system by the PSO designated deadline.
- B. The eGrants system will not accept late application submissions.

CAPCOG ELIGIBILITY REQUIREMENTS FOR APPLICANT PARTICIPATION IN THE CJAC APPLICATION REVIEW AND PRIORITIZATION PROCESS

- A. To be considered for participation in CAPCOG's CJAC application review and prioritization process, applications must be certified and submitted through eGrants by the PSO designated deadline.
- B. To be eligible to participate in CAPCOG's CJAC application review and prioritization process, the applicant must provide services within: Bastrop; Blanco; Burnet; Caldwell; Fayette; Hays; Lee; Llano; Travis; or, Williamson counties. The 10-county CAPCOG area known as Region 12.
 - 1. Agencies within the CAPCOG region may expand their service area outside of the CAPCOG 10-county region. However, the CJAC will only consider applications for funding that will provide services within Region 12.
 - 2. Funding for areas outside of Region 12 must coordinate with the appropriate COG.
 - 3. Agencies headquartered outside of the CAPCOG 10-county area may submit a grant application for CJAC review and prioritization if the requested funding will be used to provide services within Region 12.
- C. Agencies that receive funds directly from their state association or directly from PSO for basic service programs, must apply directly through their state association or PSO and may not apply for funds that are prioritized by CAPCOG. (Examples include but are not limited to: *Mothers Against Drunk Driving; Crime Stoppers; Children's Advocacy Centers; and, Court Appointed Special Advocates.*)
- D. PSO will make the final determination as to which funding source is most appropriate for each application.

PROJECT AND APPLICANT/GRANTEE STATUS DEFINITIONS

- A. A current grantee is an agency/organization that is receiving funding through the Office of the Governor, PSO, and implementing a program during the current Plan Year of September 1st through August 31st.
- B. A new applicant is defined as any agency/organization that has never been funded through any funding source or has not been funded through the CAPCOG regional PSO allocation within the past five years for the project for which funding is currently being requested.

- C. A new project is defined as any project that has never been funded through any funding source, has not been funded through the CAPCOG regional PSO allocation within the past five years, or is a currently funded project that has significantly changed the scope of work or target group of the project.
- D. A continuation project is defined as any project that is currently ongoing where the applicant is requesting funds from the same fund source to continue the project for an additional funding cycle.

FUND SOURCE INFORMATION

- A. The grant applications that will be reviewed by the CJAC include, but are not limited to the following funding sources from the Office of the Governor, PSO:
 - 1. Criminal Justice Program (JAG);
 - 2. General Victim Assistance Direct Services Program (VOCA);
 - 3. Juvenile Justice and Truancy Prevention Grant Programs – Juvenile Justice Projects (JJ);
 - 4. Juvenile Justice and Truancy Prevention Grant Programs – Truancy Prevention Projects (TP);
 - 5. Residential and Community-Based Services for Victims of the Commercial Sexual Exploitation of Youth (CSEY);
 - ~~6. Sexual Assault Forensic Exam (SAFE) Ready Facilities Program (SAFE);~~
 - ~~7-6.~~ Violent Crimes Against Women Criminal Justice and Training Program (VAWA); and,
 - ~~8-7.~~ Any additional or unique fund sources that PSO determines appropriate
- B. Requirements for CAPCOG recommended projects:
 - 1. Agencies may submit a maximum of 3 applications per fund source.
 - a) Applications will be grouped into three tiers. All applications in Tier 1 will be recommended for funding before any applications in Tier 2 are recommended for funding. All applications in Tier 2 will be recommended for funding before any applications in Tier 3 are recommended for funding.
 - b) All applicants will be allowed one Tier 1 application, one Tier 2 application, and one Tier 3 application.
 - c) Applicants will self-select their Tier 1, Tier 2, and Tier 3 applications at submittal and prior to applications being reviewed by the CJAC.
 - 3. Applications must receive a minimum score of 70 to be recommended as a Quality Project for funding consideration by PSO.
 - 4. For each application, an applicant is required to provide CAPCOG the minimum funding amount required to conduct the proposed project before being reviewed by the CJAC.

FUND SPECIFIC REQUIREMENTS

A. Criminal Justice Program (JAG)

- 1. This is a competitive grant that requires the submission of a new application to the Office of the Governor, PSO through the eGrants web-based system each year funding is desired.

2. A three-year funding maximum, provided that funding is available, and the third year funding request amount does not fall below \$10,000.
3. Decreasing Fund Ratio: The first year's award is the 100% mark, with a second-year's request eligible for 80% of the first year's award amount, and a third-year's request eligible for 60% of the first year's award amount.
4. Required Match: None
5. **Equipment Only Funding Requests**: Applicants requesting funding only for equipment and no programmatic services, will be considered a "one-time" only applicant and will not be eligible for the Decreasing Fund Ratio for subsequent years.
6. CAPCOG priorities for Criminal Justice Program funded projects are as follows:
 - i. Multi-jurisdictional/multi-county projects with a focus on regional impact; and,
 - ii. Existing projects that can be completed with a one-time grant.

B. General Victim Assistance Direct Services Program (VOCA)

1. This is a competitive grant that requires the submission of a new application to the Office of the Governor, PSO through the eGrants web-based system annually for the first two years funding is desired and biennially after that.
2. Required Match: Grantees, other than Native American Tribes, may be required to provide matching funds of at least twenty percent (20%) of total project expenditures. This requirement may be met through cash and/or in-kind contributions.
3. An exception will be made for agencies providing domestic violence, sexual assault, and children's advocacy services. These agencies will be allowed to submit 3 applications to provide services to adults and 3 applications to provide services to children for a maximum of 6 applications. These agencies may designate one application to provide services to adults and one application to provide services for children to each funding tier identified in Fund Source Information (C).
4. Total agency/applicant requests cannot equal more than 50% of the applicant/agency's current total operating budget.
5. First-time VOCA applicants (an agency/applicant that has never been awarded VOCA funding before, OR, have not received VOCA funding within the last five years) are limited to submitting one application.
6. Agencies that receive VOCA grant money from their statewide affiliate agencies are not eligible to apply for VOCA funding that is allocated to Region 12 through the CAPCOG CJAC Application Review Process. These agencies include, but are not limited to: Texas Children's Advocacy Centers; Mother Against Drunk Driving; Legal Aid Society; Court Appointed Special Advocates (CASA); and, Texas Department of Public Safety.

C. Juvenile Justice and Truancy Prevention Grant Programs – Juvenile Justice Projects (JJ)

1. This is a competitive grant that requires the submission of a new application to the Office of the Governor, PSO through the eGrants web-based system each year funding is desired.
2. A three-year funding maximum, provided that funding is available, and the third year funding request amount does not fall below \$10,000.

3. Decreasing Fund Ratio: The first year's award is the 100% mark, with a second-year's request eligible for 80% of the first year's award amount, and a third-year's request eligible for 60% of the first year's award amount.
4. Required Match: None

D. Juvenile Justice and Truancy Prevention Grant Programs – Truancy Prevention Projects (TP)

1. This is a competitive grant that requires the submission of a new application to the Office of the Governor, PSO through the eGrants web-based system each year funding is desired.
2. Required Match: None

E. Residential and Community-Based Services for Victims of the Commercial Sexual Exploitation of Youth (CESY)

1. This is a competitive grant that requires the submission of a new application to the Office of the Governor, PSO through the eGrants web-based system each year funding is desired.
2. Required Match: Grantees, other than Native American Tribes, may be required to provide matching funds of at least twenty percent (20%) of total project expenditures. This requirement may be met through cash and/or in-kind contributions.
3. CJAC scoring criteria for applications to this program will be provided by PSO.

~~3-4. CAPCOG will not prioritize applications to this fund source and instead will just score them and provide comments to PSO.~~

~~**F. Sexual Assault Forensic Exam (SAFE) – Ready Facilities Program (SAFE)**~~

- ~~1. This is a competitive grant that requires the submission of a new application to the Office of the Governor, PSO/CJD through the eGrants web-based system each year funding is desired.~~
- ~~2. Required Match: None~~

G.F. Violence Against Women Criminal Justice and Training Program (VAWA)

1. This is a competitive grant that requires the submission of a new application to the Office of the Governor, PSO through the eGrants web-based system each year funding is desired.
2. There is no limit to the number of years of funding, provided funds are available and an application receives qualifying scores from the CJAC
3. Required Match: Grantees, other than Native American tribes and non-profit, non-governmental victim service providers, must provide matching funds of at least thirty percent (30%) of total project expenditures. This requirement may be met through cash and/or in-kind contributions.

H.G. Any additional or unique fund sources that PSO determines appropriate

1. Information for fund sources not listed above will be posted on the CAPCOG website:
www.capcog.org/what-we-do/funding-grants/criminal-justice/

H.H. Requirements for the fund sources listed above are subject to change at any time per instruction from the Office of the Governor, PSO. Grant applicants will be notified of any fund source changes via email notification and postings on the CAPCOG website:

www.capcog.org/what-we-do/funding-grants/criminal-justice/

CAPCOG APPLICATION WORKSHOPS, TECHNICAL ASSISTANCE, ~~AND REVIEW~~, AND ADDENDUM

- A. CAPCOG ~~may~~will schedule and hold grant application workshops to review grant application requests for applications developed by the Office of the Governor, PSO. To be considered for participation in CAPCOG's CJAC application review and prioritization process, a representative of the applying organization is required to attend a grant application workshop.
- B. CAPCOG staff will provide current grantees, potential applicants, and others with CAPCOG's criminal justice priorities, a copy of the CJAC application review and prioritization scoring instrument, the criteria used in the scoring of applications, and other relevant materials, including relevant policies, procedures, and bylaws, during the grant application workshop or by request.
- C. In addition to the CAPCOG-facilitated grant application workshops, applicants may request grant-related technical assistance before the applicant's submission of the certified application to PSO.
- D. CAPCOG staff will answer questions for both current grantees and new applicants via email consultation as much as is practical, as well as in-person upon request.
- E. The Office of the Governor, PSO staff will provide technical assistance on the operation of the eGrants web-based application.
- F. CAPCOG requires applications to be submitted for review by CAPCOG staff at least one week before the application deadline set by PSO. Applicants must receive confirmation from CAPCOG of a completed review before submitting and certifying an application. During this review CAPCOG will check:
 - a. Identifying Information;
 - b. Target Areas Information; and,
 - c. Other areas of the application identified by PSO or CAPCOG.
- G. To be considered for participation in CAPCOG's CJAC application review and prioritization process, applicants are required to submit an ~~application addendum~~ Project Summary Sheet created to help the CJAC during their review and scoring of applications no more than two weeks after the application period closes. The ~~addendum~~ Project Summary Sheet will ask for:
 - a. Data and information to help the CJAC review application that is not included in the application submitted and certified in eGrants; and,
- a.H. Applicants must be prepared to discuss reductions to areas of their budget during the CJAC's project review process by either a percent reduction of the total amount or identifying specific items in the budget that can be reduced or deleted.

ATTENDANCE REQUIREMENTS FOR CJAC REVIEW AND PRIORITIZATION MEETINGS

- A. Attendance at CJAC application review and prioritization meetings is always mandatory for both new and current grant applicants.
 - 1. A representative from each applicant organization shall attend the prioritization meeting.
 - 2. A representative of the applicant agency/organization will be allowed a five (5) minute presentation of the application and shall have the opportunity to answer any questions posed by the CJAC members.

- B. Failure of an applicant agency/organization to attend the CJAC application review and prioritization meeting will deem the application ineligible for CJAC review and prioritization, which will result in a score of “0” and no recommendation for funding consideration.

CRIMINAL JUSTICE ADVISORY COMMITTEE (CJAC)

- A. The CJAC is a volunteer committee comprised of a multi-disciplinary representation of members from the region per the requirements of the Office of the Governor, PSO. These discipline areas include non-profit organizations, municipalities, counties, citizens or parents, substance abuse prevention, education, juvenile justice, law enforcement, mental health, prosecution or courts, and victim services. CJAC members are appointed by CAPCOG’s Executive Committee.
- B. The primary responsibility of the CJAC is to review criminal justice-related grant applications from throughout the region, score and prioritize applications, and provide funding recommendations, based on a standardized application review and prioritization process and a standardized score sheet, to CAPCOG’s Executive Committee for approval to submit the prioritization lists to the Office of the Governor, PSO.
- C. To avoid a conflict of interest, members of the CAPCOG’s governing body, CJAC members, and CAPCOG staff must abstain from voting, cannot present to the CJAC, and must leave the room* for the review and scoring of any application during the prioritization process if the member, planner, or an individual related to the member or planner within the third degree of consanguinity or within the second degree by affinity:
 - 1. is employed by the applicant agency and works for the unit or division that would administer the grant, if awarded; or,
 - 2. serves on any board that oversees the unit or division that would administer the grant if awarded; or,
 - 3. owns or controls any interest in a business entity or other non-governmental organization that benefits, directly or indirectly, from activities with the applicant agency; or,
 - 4. receives any funds, or a substantial amount of tangible goods or services, from the applicant agency as a result of the grant, if awarded.
- D. At the beginning of each prioritization meeting, the CJAC Chair shall request members to identify any possible conflict of interest when scoring applications.
 - 1. If a member must abstain from reviewing, voting, commenting, presenting, or taking any action on any grant application, the member must also abstain from voting, on any competing applications within that funding source during the prioritization process.
 - 2. Members will clearly state their abstention from voting on certain applications and will not speak on behalf of or in support of an applicant.
 - 3. Members shall write, “ABSTAIN” on the score sheet of each application they do not score due to a conflict of interest.

* In a virtual setting, **leave the room** means a member must exit the meeting platform. CAPCOG staff will communicate with the member about when they can return to the meeting.

CJAC APPLICATION REVIEW AND PRIORITIZATION PROCESS

- A. CJAC Application Review
 - 1. The CJAC will review and score eligible applications at the CJAC application review and prioritization meetings for each of the PSO designated fund sources.

2. An approved application score sheet will be used to evaluate each application submitted for review. This score sheet is the product of a cumulative effort of the Office of the Governor, PSO, and CAPCOG.
 - a. A minimum score benchmark may be imposed during the application scoring process.
 - b. Applications that do not meet an imposed minimum score will not be recommended for funding consideration.
 3. The CJAC **must** consider the following factors when scoring and prioritizing applications:
 - a. Any state strategies identified by PSO;
 - b. Priorities identified within the region resulting from the strategic planning process;
 - c. Eligibility, reasonableness, and cost-effectiveness of the proposed project; and,
 - d. Current CAPCOG policies and bylaws.
 4. The CJAC **may** consider estimated funding levels when scoring and prioritizing applications.
 5. CAPCOG staff will tabulate all applicant scores and create a prioritization list ranking each application from highest to lowest score.
 - a. The highest and lowest score of each application will be eliminated, and an average of the remaining scores will serve as the score of record.
 - b. The tabulation of scores for an application is based on the number of members eligible to vote.
 - c. In the event of a tie score when the projects are totaled, staff will delete the next highest and lowest scores until the tie is broken.
 - d. Projects will be placed on the priority list in the order of the tiebreaker score.
 6. The proposed prioritization list will be provided to the CJAC for review, comment, and possible changes to the list order.
 7. Post-CJAC review, the proposed prioritization list will be sent out to the applicants.
 8. CAPCOG staff will then submit the proposed prioritization list to the CAPCOG Executive Committee.
- B. Application Recommendations Submitted to the Office of the Governor, PSO for Funding Consideration
1. CAPCOG's governing board, the Executive Committee, must review and approve the CJAC prioritization list of applications recommended for funding consideration before it is submitted to the Office of the Governor, PSO.
 2. There is no commitment or obligation on the part of CAPCOG, the CJAC, or CAPCOG's Executive Committee to recommend any application for funding consideration.
 3. All funding decisions are made at the sole discretion of the Office of the Governor, PSO.

CAPCOG APPEALS PROCESS FOR GRANT APPLICANTS

- A. The only cause for an appeal that CAPCOG will consider is an alleged scoring error made during the prioritization process that prevents the applicant from achieving a score that allows their application to be submitted to the Office of the Governor, PSO for funding consideration.
 1. Applicants wishing to appeal an alleged scoring error must complete the following:

- a. Applicants must submit written notification, signed by the applicant’s authorized official, of their intent to appeal, to CAPCOG’s Executive Director and the sitting CJAC Chair at least 24-hours before the CAPCOG Executive Committee’s scheduled meeting where the CJAC priority list of applications recommended for funding consideration will be approved.
 - b. The Appellant must demonstrate that the error caused the application (or a portion of the application) to receive a low score that prevented the application from being recommended to PSO for funding consideration.
2. Letters and phone calls of support will NOT be considered as part of the official appeal process.
 3. Upon receipt of all requested documentation supporting the appeal, the Executive Director may place the appeal on the agenda for the next available meeting of the Executive Committee.
 4. The Chair, Vice Chair, or designated representative from the CJAC will be present at the Executive Committee meeting that includes the appeal agenda item.
 5. The decision of the Executive Committee will be the final action concerning all appeals.
 6. The CJAC members will receive a copy of the written appeal, notification of the Executive Committee meeting of which the appeal has been placed on the agenda, and will be notified of the action taken by the Executive Committee regarding the appeal.
- B. The Office of the Governor, PSO does not have an appeals process for grant applicants. All PSO funding decisions are made at the sole discretion of the Office of the Governor and are final.

[Revised by Vote December 8, 2021](#)

Revised by Vote October 14, 2020

Revised by Vote October 9, 2019

Revised By Vote October 10, 2018

Revised By Vote December 13, 2017

Revised By Resolution November 9, 2016

Revised By Resolution December 9, 2015

Revised By Resolution February 11, 2015

Revised By Resolution October 8, 2014

Revised By Resolution December 11, 2013

Revised By Resolution December 9, 2012

Revised By Resolution November 9, 2011

Revised By Resolution November 10, 2010

Revised By Resolution December 9, 2009

Revised By Resolution June 10, 2009

Revised By Resolution January 14, 2009

Revised By Resolution November 12, 2008

Revised By Resolution December 12, 2007

Revised By Resolution March 14, 2007

Revised By Resolution November 9, 2005

Revised By Resolution on December 8, 2004

Revised by Resolution on November 10, 2004

Revised by Resolution on November 12, 2003

Revised by Resolution on September 26, 2002

Revised by Resolution on March 23, 2000

Revised by Resolution on September 19, 2000
Adopted by Resolution on October 19, 1999

EXECUTIVE COMMITTEE MEETING

MEETING DATE: December 8, 2021

AGENDA ITEM: #8 Consider Approving CAPCOG 20-Year Regional Solid Waste Management Plan Update and Adopting a Resolution Authorizing the Submittal of the Regional Solid Waste Management Plan and Closed Landfill Inventory to Comply with Requirement of the Texas Commission on Environmental Quality

GENERAL DESCRIPTION OF ITEM:

CAPCOG is directed by the Texas Commission on Environmental Quality (TCEQ) to maintain a Regional Solid Waste Management Plan (RSWMP) which was recommended by the Solid Waste Advisory Committee (SWAC) and adopted by CAPCOG's Executive Committee on January 10, 2005. The twenty-year plan covers 2002 through 2022 and contains an inventory of closed and abandoned municipal solid waste landfills in compliance with Title 30 Texas Administrative Code Chapter 330 Municipal Solid Waste Rules. The plan was funded through a solid waste management grant provided by the TCEQ. The two-volume plan contains an Executive Summary (Volume I) and an Implementation Plan (Volume II) which presents data on population and growth patterns, economic development, waste generation and characterization, the region's waste management system, a summary of needs and problems, regional goals and objectives, and an action plan.

TCEQ directed an update to the RSWMP in 2019 and the CAPCOG Solid Waste Program began working with the SWAC via a subcommittee to develop and distribute local government, public industry, and stakeholder surveys to collect data in support of this update. TCEQ provided two forms in coordination with the Texas Association of Regional Councils in August 2020 to help drive the plan's development and to facilitate consistent plan updates across all 24 of the State's Regional Planning Commissions. Each COG is to complete the TCEQ forms and return them with the data accumulated, and TCEQ will compile each plan ensuring consistency in formatting and presentation, then return them to each COG. The plan's development required a public meeting which was held September 17, 2021 to solicit stakeholder input on the goals and objectives identifies in the plan. The stakeholder's recommended goals and objectives were presented to the SWAC for prioritization and the plan was approved by the SWAC on September 24, 2021. The motion passed with one abstention and one nay.

A resolution approved by CAPCOG's Executive Committee and signed by the Chair and Secretary is required for the TCEQ's approval.

THIS ITEM REPRESENTS A:

- New issue, project, or purchase
- Routine, regularly scheduled item
- Follow-up to a previously discussed item
- Special item requested by board member
- Other

PRIMARY CONTACT/STAFF MEMBER:

Ken May, Regional Programs Manager
Shelly Hargrove, Director, Community & Economic Development

BUDGETARY IMPACT:

Total estimated cost: N/A

Source of Funds: N/A

- | | | |
|---|------------------------------|--|
| Is item already included in fiscal year budget? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Does item represent a new expenditure? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| Does item represent a pass-through purchase? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If so, for what city/county/etc.? _____

PROCUREMENT: N/A

ACTION REQUESTED:

Approve the CAPCOG 20-Year Regional Solid Waste Management Plan.

BACK-UP DOCUMENTS ATTACHED:

1. RSWMP Update Summary Memo
2. Draft CAPCOG Completed TCEQ Form 20880a Regional Solid Waste Management Plan Volume I - Executive Summary
3. CAPCOG Resolution to approve the submittal of the Regional Solid Waste Management Plan and Closed Landfill Inventory to comply with requirements of the TCEQ.

BACK-UP DOCUMENTS NOT ATTACHED *(to be sent prior to meeting or will be a handout at the meeting):* **None**



6800 Burleson Road, Building 310, Suite 165

Austin, Texas 78744-2306

Ph: 512-916-6000 Fax: 512-916-6001

www.capcog.org

BASTROP BLANCO BURNET CALDWELL FAYETTE HAYS LEE LLANO TRAVIS WILLIAMSON

MEMORANDUM
November 18, 2021

TO: CAPCOG Executive Committee

FROM: Ken May, Regional Programs Manager

RE: Regional Solid Waste Management Plan Update Summary

Planning for the Regional Solid Waste Management Plan (RSWMP) update was initiated in the Spring of 2018 with the formation of a subcommittee of the Solid Waste Advisory Committee (SWAC) to help steer CAPCOG staff in development of the data necessary to create the update. Special appreciation goes out to the subcommittee for their hard work and direction which consisted of the following volunteers: Paul Granberg, Blanco County Commissioner; Rachel Herring, Keep Texas Beautiful Program Director; Jack Ranney, Clean Earth Inc. Project Manager; Adam Gregory, Texas Disposal Systems; Emily Ackland, Travis County Environmental Program Manager; Steve Shannon, Waste Connections; Tom Muras, Fayette County Commissioner; and, Lynn Lantrip, Solid Waste Specialists (private consultant) and Williamson County SWAC Representative.

Work began with the development of a questionnaire for counties, municipalities, and solid waste facilities in the ten-county region. This questionnaire was sent to 66 cities, ten counties, and local solid waste service providers. The questionnaire solicited input on solid waste concerns, residential collection, recycling and composting, solid waste management costs, and publicly operated facilities. The final response rate was ~76%.

Items of interest include:

- 61% reported problems with illegal dumping, but only 11% reported having an environmental enforcement program.
- Only 4 municipalities provide their own municipal collection while 92% surveyed contract their municipal collection to private haulers.
- 38 cities surveyed report provision for single family curbside recycling collection with plastic bags and Styrofoam being most frequently identified as not accepted.
- For brush and organics recovery, 28 cities have residential curbside collection, and four counties provide drop-off locations, while only 3 cities have residential curbside food/organic collection.
- 16 cities and 2 counties process the brush or food/organics into mulch or compost.

- 30 cities and 4 counties offer bulky waste curbside collection or drop-off points.
- 30 cities and 7 counties reported hosting community collection or clean-up events.
- The average monthly rate paid by a single-family household for curbside collection ranged between \$15.90 to \$90, with an average rate of \$26.25 and a median rate of \$20.43.
- 4 cities operate a permanent Household Hazardous Waste (HHW) Facility, and 6 counties have access for their citizens to drop off HHW at either a city or county facility.

The main takeaways were:

- Need for more Community Collection Events, illegal dumping, and access to recycling and solid waste services.
- Only 9 % of CAPCOG’s cities offer curbside food/organic collection while food/organics comprise 15% of the national waste stream.
- Blanco, Caldwell, Llano, and Williamson Counties do not have access to HHW disposal.
- CAPCOG’s disposal rate is currently 6.02 lbs per person per day while the Statewide disposal rate is 6.83 lbs per person per day.
- Per recent studies, the State’s recycling rate is currently ~25%, up from ~23% in 2017.

The RSWMP Update resulted in a revision to the priority ranking of the goals and objectives for funding under the Regional Solid Waste Grants Program. The newly recommended priority of goals is:

1. Promote community clean-up events to provide citizens with an alternative to illegal dumping.
2. Encourage a Household Hazardous Waste collection and diversion program.
3. Continue and enhance current illegal dumping enforcement programs.
4. Explorer alternates to dealing with the disposal of special wastes.
5. Promote public education on integrated solid waste management.
6. Encourage effective and efficient management and operation of recycling services.
7. Encourage the proper management and disposal of municipal solid waste.
8. Promote reduction in the disposal of yard waste and encourage recycling.
9. Determine whether access to and the availability of legal disposal options in the CAPCOG region are adequate.
10. Promote administrative structures to ensure some measure of local control in the siting, expansion, and operation of Municipal Solid Waste facilities.
11. Promote incentives for recycling activities and increased recycling participation rates across the region.
12. Reduce the amount of municipal solid waste generated and disposed of within the region.
13. Increase the CAPCOG region recycling rate.
14. Provide permanent household hazardous waste collection facilities throughout the region.
15. Use the Plan Conformance/Facility Application Review process and provisions of 363.066, Health & Safety Code to address land use compatibility and other local issues to avoid if possible, or minimize if avoidance is not possible, adverse impacts from municipal solid waste facilities on human health and the environment.

If you should question or comments on this RSWMP Update please do not hesitate to contact Ken May, Kmay@capcog.org, or (512) 916-6040.

Regional Solid Waste Management Plan Volume I

Regional Solid Waste Management Plans are required by Texas Health and Safety Code (THSC), §363.062, relating to Regional Solid Waste Management Plan (RSWMP). Contents of the RSWMP are described in THSC §363.064 and in 30 Texas Administrative Code (TAC), Chapter 330, Subchapter O.

This form contains set fields for data entry. To complete an entry, click on the area where the instructions are shown and begin typing. Rows can be added or deleted in the tables as needed. The RSWMP Volume I Form was developed by the Texas Commission on Environmental Quality (TCEQ) in coordination with the Texas Association of Regional Councils. Planning organizations with questions about the form can contact the **TCEQ Business and Program Services Section** by calling 512-239-2335.

Regional Solid Waste Management Plan Volume I

Regional Organization Information

Table 1. Organization Information

Name of Council of Government	Capital Area Council of Governments
Mailing Address	6800 Burluson Road Building 310, Suite 165
Website	https://www.capcog.org/
Phone Number	(512)916-6000
Email Address	Kmay@capcog.org

Section I. Geographic Scope

[Ref. 30 TAC §330.645(a)(1)]

The geographic scope of the regional planning process shall be the entire planning region.

Table I.I. Geographic Scope

Names of Member Counties in the Entire Planning Region	Bastrop, Blanco, Burnet, Caldwell, Fayette, Hays, Lee, Llano, Travis, and Williamson
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Section II. Plan Content

[Ref. 30 TAC §330.635(a)(2)]

A regional plan shall be the result of a planning process related to the proper management of solid waste in the planning region. The process shall include identification of overriding concerns and collection and evaluation of the data necessary to provide a written public statement of goals and objectives and actions recommended to accomplish those goals and objectives.

II.A. Regional Goals and Objectives

[Ref. 30 TAC §330.635(a)(2)(A)]

In the table, list the long-range regional goals and corresponding objectives for the proper management of solid waste in the planning region. Add rows as needed.

Table II.A. Regional Goals and Objectives

<p>Goal #1 Promote community clean-up events to provide citizens with an alternative to illegal dumping.</p>	<p>Objective 1.A. Coordinate public/private partnerships to share the cost burden and promote sponsorship.</p> <p>Objective 1.B. Educate communities on the availability of funds to provide the service and coordinate events.</p> <p>Objective 1.C. Coordinate services to communities that do not have bulky item pick-up, curbside municipal solid waste services, or that have illegal dumping issues.</p>
<p>Goal #2 Encourage a Household Hazardous Waste (HHW) collection and diversion program.</p>	<p>Objective 2.A. Coordinate public/private partnerships to share the cost burden and provide services.</p> <p>Objective 2.B. Develop sub-regional collection programs that encourage permanent reuse facilities.</p> <p>Objective 2.C. Promote more cost-efficient collection programs other than annual one-day events.</p>
<p>Goal #3 Continue and enhance current illegal dumping enforcement programs.</p>	<p>Objective 3.A. Support participation in the Regional Enforcement Task Force.</p> <p>Objective 3.B. Support all programs that aim to curtail illegal dumping.</p>

	<p>Objective 3.C. Provide environmental enforcement training to the entire region throughout the year.</p>
<p>Goal #4 Explore alternatives to dealing with the disposal of special wastes.</p>	<p>Objective 4.A. Reduce the amount of construction and demolition (C&D) waste and encourage recycling.</p> <p>Objective 4.B. Determine effective and efficient management of used tires and oil.</p> <p>Objective 4.C. Provide public education on electronics recycling and work with other entities on maintaining a database of reliable electronic recycling industries.</p> <p>Objective 4.D. Encourage MSW facilities to have used tire programs.</p>
<p>Goal #5 Promote public education on integrated solid waste management.</p>	<p>Objective 5.A. Establish educational programs specific to other goals (HHW, illegal dumping, and recycling).</p> <p>Objective 5.B. Coordinate educational programs through school curricula, advertising, and environmental projects.</p> <p>Objective 5.C. Maintain and promote the environmental resource center for public use.</p>
<p>Goal #6 Encourage effective and efficient management and operation of recycling services.</p>	<p>Objective 6.A. Coordinate public/private partnerships.</p> <p>Objective 6.B. Coordinate the development of markets for recycled materials and maintain</p>

	<p>local control as necessary to assure quality of services.</p> <p>Objective 6.C. Seek support for and encourage continued operation of small businesses and non-profit recycling entities.</p>
<p>Goal #7 Encourage the proper management and disposal of municipal solid waste.</p>	<p>Objective 7.A. Ensure best industry practices for all MSW facilities.</p> <p>Objective 7.B. Encourage MSW facilities to be involved with surrounding communities.</p>
<p>Goal #8 Promote reduction in the disposal amount of yard waste and encourage recycling.</p>	<p>Objective 8.A. Coordinate programs for the diversion of yard trimmings and brush, and their use of the compost or mulch.</p> <p>Objective 8.B. Provide material on the “Don’t Bag It” program for yard waste and backyard composting.</p> <p>Objective 8.C. Provide education materials on the beneficial use of green waste.</p> <p>Objective 8.D. Coordinate with MSW facilities to divert yard waste and brush from disposal.</p>
<p>Goal #9 Determine whether access to and the availability of legal disposal options in the CAPCOG region are adequate.</p>	<p>Objective 9.A. Determine if new or expanded facilities are needed within the region.</p> <p>Objective 9.B. Coordinate the development of transfer stations and citizen collection stations in areas of need.</p>

	<p>Objective 9.C. Coordinate open and free markets within the region for solid waste collection, disposal, and recycling.</p>
<p>Goal #10 Promote administrative structures to ensure some measure of local control in the siting, expansion, and operation of MSW facilities.</p>	<p>Objective 10.A. Coordinate with counties to pass municipal solid waste siting ordinances.</p> <p>Objective 10.B. Provide pre-application assistance to interested parties.</p> <p>Objective 10.C. Utilize a checklist to provide guidance and determine plan conformance for MSW permit and registration applications.</p> <p>Objective 10.D. Coordinate development of regional or local programs to enforce MSW regulations and permit requirements.</p>
<p>Goal #11 Promote incentives for recycling activities and increased recycling participation rates across the region.</p>	<p>Objective 11.A. Work to seek funding for CAPCOG to coordinate, monitor, and report on progress achieved toward meeting regional recycling goals.</p> <p>Objective 11.B. Consider/evaluate volume-based rate structures/recycling programs.</p> <p>Objective 11.C. Encourage studies and analysis of the current waste stream to stimulate economic development in the recycling industry.</p>
<p>Goal #12 Reduce the amount of municipal solid waste generated and disposed of within the region.</p>	<p>Objective 12.A. Coordinate the separation and collection of recyclables from governmental facilities.</p>

	<p>Objective 12.B. Emphasize market-based incentives and market development.</p> <p>Objective 12.C. Target waste reduction activities to specific waste streams.</p>
<p>Goal #13 Increase the CAPCOG region recycling rate.</p>	<p>Objective 13.A. Coordinate innovative recycling projects throughout the region.</p>
<p>Goal #14 Provide permanent household hazardous waste collection facilities throughout the region.</p>	<p>Objective 14.A. Coordinate the creation of HHW facilities throughout the region.</p>
<p>Goal #15 Use the Plan Conformance/Facility Application Review process and the provisions of §363.066, Health & Safety Code, to address land use compatibility and other local issues to avoid if possible, or minimize if avoidance is not possible, adverse impacts from municipal solid waste (MSW) facilities on human health and the environment.</p>	<p>Objective 15.A. Determine whether the use of a site for a MSW facility may adversely impact human health or the environment by evaluating and determining impacts of the site upon counties, cities, communities, groups of property owners, or individuals in terms of compatibility of land use, zoning in the vicinity, community growth patterns, and other factors associated with the public interest.</p> <p>Objective 15.B. Monitor MSW facilities' compliance with local zoning requirements, siting ordinances, and other local government land use regulations.</p> <p>Objective 15.C. Assess MSW facilities' impacts on roads, drainage ways, and other infrastructure. Consider existing and planned future land uses near proposed facilities. Consider and address infrastructure problems created by facilities. Consider and address potential land use conflicts between MSW facilities and existing and planned development.</p>

	<p>Objective 15.D. Encourage MSW facilities to be good neighbors, by assessing and considering every applicant’s five-year compliance history in Texas to the fullest extent allowed by TCEQ.</p> <p>Objective 15.E. Encourage programs that provide incentives for using landfills instead of illegal dumping including but not limited to conducting and increasing awareness of community cleanup events, efforts to curtail illegal dumping, litter abatement and waste reduction programs, public education programs, lower rates for waste-collection events, etc.</p> <p>Objective 15.F. Avoid if possible, or minimize if avoidance is not possible, concerns about visual and aesthetic impacts from MSW facilities on adjacent land uses by incorporating “context sensitive” design, appropriate buffers, and setbacks into facility design. Encourage operators to take reasonable and appropriate steps to avoid such impacts if possible or minimize them if complete avoidance is not possible.</p> <p>Objective 15.G. Address local land use concerns about the long term and cumulative effects of MSW facilities and protect the public interest in a natural landscape, avoid if possible, or minimize if not possible, major disruptions to the landscape and other adverse long term and cumulative effects by monitoring whether the permitted and maximum potential (theoretical geometric calculation) height and capacity of a MSW facility are accurately calculated and taken into account.</p>
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	<p>Objective 15.H. Avoid if possible, or minimize if avoidance is not possible, nuisance conditions associated with MSW facilities that generate community concerns by encouraging applicants to implement reasonable and appropriate measures and best management practices to prevent and control litter, storm water runoff, vectors, odor, excessive noise, light pollution, and other nuisance conditions.</p>
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II.B. Efforts to Minimize, Reuse, and Recycle Waste

[Ref. 30 TAC §330.635(a)(2)(B)]

In the table, provide a description and assessment of efforts to minimize, reuse, and recycle waste.

Table II.B. Waste Minimization, Reuse, and Recycling

Subject	Description
Current Efforts to Minimize Municipal Solid Waste and to Reuse or Recycle Waste	Provide a brief description and an assessment of current efforts in the region to minimize municipal solid waste (MSW), including sludge, and efforts to reuse or recycle waste.
Recycling Rate Goal for the Region	Provide the established recycling rate goal appropriate to the region. Include a brief explanation on how the goal was established.
Recommendations for Encouraging and Achieving a Greater Degree of Waste Minimization and Waste Reuse or Recycling	Provide a list of any recommendations for encouraging and achieving a greater degree of waste minimization and waste reuse or recycling in the geographic area covered by the plan.
Existing or Proposed Community Programs for the Collection of Household Hazardous Waste	Provide a description and assessment of existing or proposed community programs for the collection of household hazardous waste.
Composting Programs for Yard Waste	<p>The recommended composting programs for yard waste and related organic wastes may include:</p> <ul style="list-style-type: none"> <input type="checkbox"/> (I) creation and use of community composting centers; <input type="checkbox"/> (II) adoption of the "Don't Bag It" program for lawn clippings developed by the Texas Agricultural Extension Service; and <input type="checkbox"/> (III) development and promotion of education programs on home composting, community composting, and the separation of yard waste for use as mulch.
Public Education/Outreach	Include a public education/outreach component in the solid waste program directed at efforts to minimize, reuse, and recycle waste.

II.C. Commitment Regarding the Management of MSW Facilities

[Ref. 30 TAC §330.635(a)(2)(C)]

By checking the boxes below, the Council of Government makes a commitment to the following, regarding the management of MSW facilities:

- (i) encouraging cooperative efforts between local governments in the siting of landfills for the disposal of solid waste;
- (ii) assessing the need for new waste disposal capacity;
- (iii) considering the need to transport waste between municipalities, from a municipality to an area in the jurisdiction of a county, or between counties, particularly if a technically suitable site for a landfill does not exist in a particular area;
- (iv) allowing a local government to justify the need for a landfill in its jurisdiction to dispose of the solid waste generated in the jurisdiction of another local government that does not have a technically suitable site for a landfill in its jurisdiction;
- (v) completing and maintaining an inventory of MSW landfill units in accordance with Texas Health and Safety Code, §363.064. One copy of the inventory shall be provided to the commission and to the chief planning official of each municipality and county in which a unit is located; and
- (vi) developing a guidance document to review MSW registration and permit applications to determine conformance with the goals and objectives outlined in *Volume II: Regional Solid Waste Management Plan Implementation Guidelines* as referenced in 30 TAC §330.643.

Section III. Required Approvals

Table III.I. Required Approvals

Solid Waste Advisory Committee	Enter approval date by the Solid Waste Advisory Committee.
Public Meeting Dates	Enter dates of public meetings.
Executive Committee	Enter approval date by the Executive Committee.

RESOLUTION

AUTHORIZING THE SUBMITTAL OF THE REGIONAL SOLID WASTE MANAGEMENT PLAN AND CLOSED LANDFILL INVENTORY TO COMPLY WITH REQUIREMENTS OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

WHEREAS, the Capital Area Council of Governments is directed by the Texas Commission on Environmental Quality to complete a regional plan following 30 TAC chapter 330 regulations and an inventory of closed and abandoned municipal solid waste landfills; and,

WHEREAS, the Regional Solid Waste Management Plan and Closed Landfill Inventory were presented to the public for review and comment, and have been approved by the Capital Area Council of Governments' Solid Waste Advisory Committee; and,

WHEREAS, the Regional Solid Waste Management Plan and Closed Landfill Inventory have been reviewed by the Capital Area Council of Governments and have been prepared for submission to the Texas Commission on Environmental Quality, for approval; and,

THEREFORE, BE IT RESOLVED, that the Executive Committee of the Capital Area Council of Governments hereby approves and authorizes submission of the Regional Solid Waste Management Plan and Closed Landfill Inventory to the Texas Commission on Environmental Quality.

Resolution adopted by the Capital Area Council of Governments Executive Committee on this 8th day of December 2021.

Judge Paul Pape, Chair
Executive Committee
Capital Area Council of Governments

Mayor Lew White, Secretary
Executive Committee
Capital Area Council of Governments

EXECUTIVE COMMITTEE MEETING

MEETING DATE: Decembe 8, 2021

AGENDA ITEM: #9 Consider Approving Appointments to Advisory Committees

GENERAL DESCRIPTION OF ITEM:

This is the monthly item for filling positions on our Advisory Committees; please let us know if our staff can assist in identifying interested persons to serve. It is presumed that both city and county representatives will collaborate when making appointments.

THIS ITEM REPRESENTS A:

- New issue, project, or purchase
- Routine, regularly scheduled item
- Follow-up to a previously discussed item
- Special item requested by board member
- Other

PRIMARY CONTACT/STAFF MEMBER: **Deborah Brea, Executive Assistant**

BUDGETARY IMPACT:

Total estimated cost: N/A

Source of Funds: N/A

Is item already included in fiscal year budget? Yes No

Does item represent a new expenditure? Yes No

Does item represent a pass-through purchase? Yes No

If so, for what city/county/etc.? _____

PROCUREMENT: N/A

ACTION REQUESTED:

Approve any advisory committee recommendations.

BACK-UP DOCUMENTS ATTACHED:

1. Summary memo with recommended appointments and vacancies.

BACK-UP DOCUMENTS NOT ATTACHED (to be sent prior to meeting or will be a handout at the meeting):

1. Executive Committee attendance roster
2. Advisory Committee attendance rosters



6800 Burleson Road, Building 310, Suite 165
Austin, Texas 78744-2306
6800 Burleson Road, Building 310, Suite 165
Austin, Texas 78744-2306
Ph: 512-916-6000 Fax: 512-916-6001
www.capcog.org

BASTROP BLANCO BURNET CALDWELL FAYETTE HAYS LEE LLANO TRAVIS WILLIAMSON

MEMORANDUM
November 19, 2021

TO: Executive Committee Members

FROM: Deborah Brea, Executive Assistant

RE: Advisory Committee Recommendations

This memo identifies current recommendations to CAPCOG Advisory Committees and serves as a reminder of vacancies that still need to be filled. Please see the Attendance Rosters for the Requirements & Responsibilities. For questions, please contact the Advisory Committee staff liaison.

Blanco County

- The Aging Advisory Council (AAC) has a representative vacancy.

Burnet County

- The Aging Advisory Council (AAC) has a representative vacancy.

City of Austin

- The Aging Advisory Council (AAC) has a representative vacancy.

Travis County

- The Law Enforcement Education Committee (LEEC) has a citizen representative vacancy.

Williamson County

- The Aging Advisory Council (AAC) has a representative vacancy.