



Executive Committee | Agenda

10 a.m., Wednesday, December 13, 2023
Austin Southpark Hotel
4140 Governors Row
Austin, Texas 78744

Judge James Oakley, Burnet County, **Chair**
Mayor Lew White, City of Lockhart, **1st Vice Chair**
Commissioner Debbie Ingalsbe, Hays County,
2nd Vice Chair
Mayor Pro Tem Matthew Baker, City of Round
Rock, **Secretary**
Mayor Jane Hughson, City of San Marcos,
Parliamentarian
Mayor Brandt Rydell, City of Taylor, **Immediate
Past Chair**
Council Member Mackenzie Kelly, City of Austin
Commissioner Clara Beckett, Bastrop County
Ms. Connie Schroeder, 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 Dan Mueller, Fayette County
Council Member Ron Garland, City of Georgetown
Mayor Pro Tem Esmeralda Mattke Longoria, City of Leander
Commissioner Steven Knobloch, Lee County
Judge Ron Cunningham, Llano County
Mayor Pro Tem Doug Weiss, City of Pflugerville
Council Member Janice Bruno, City of Smithville
Judge Andy Brown, Travis County
Commissioner Ann Howard, Travis County
Commissioner Russ Boles, Williamson County
Commissioner Cynthia Long, Williamson County
Senator Pete Flores
Representative Stan Gerdes
Representative Terry Wilson

1. **Call to Order and Opening Remarks by the Chair**
2. **Consider Approving Minutes for the November 8, 2023 Meeting**
3. **Consider Approval of CAPCOG and CAECD Depository for 2024 and 2025**
Silvia Alvarado, Director of Finance
4. **Consider Adopting a Proclamation Recognizing January 2024 as CAPCOG Human Trafficking
Prevention Month**
Dee Harrison, Homeland Security Program Manager
5. **Consider Amending Advisory Committee Bylaws**
Betty Voights, Executive Director
6. **Consider Adopting a Resolution Approving the City of Niederwald as a Member of the Capital Area
Council of Governments**
Mason W. Canales, Public Information Coordinator
7. **Consider Approving Committee Appointments**
Betty Voights, Executive Director
8. **Staff Reports**
Betty Voights, Executive Director
9. **Adjourn**

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).



Executive Committee | Summary Minutes

10 a.m., Wednesday, Nov. 8, 2023
6800 Burleson Road
Building 310, Suite 155
Austin, TX 78744

Present (16)

Judge James Oakley, Burnet County, **Chair**
Mayor Lew White, City of Lockhart, **1st Vice Chair**
Commissioner Debbie Ingalsbe, Hays County, **2nd Vice Chair**
Mayor Pro Tem Matthew Baker, City of Round Rock, **Secretary**
Mayor Jane Hughson, City of San Marcos, **Parliamentarian**
Council Member Mackenzie Kelly, City of Austin
Commissioner Clara Beckett, Bastrop County
Ms. Connie Schroeder, City of Bastrop
Council Member Kevin Hight, City of Bee Cave

Judge Brett Bray, Blanco County
Council Member Ron Garland, City of Georgetown
Mayor Pro Tem Esme Matthe Longoria, City of Leander
Commissioner Steven Knobloch, Lee County
Judge Ron Cunningham, Llano County
Council Member Janice Bruno, City of Smithville
Judge Andy Brown, Travis County
Commissioner Ann Howard, Travis County
Commissioner Cynthia Long, Williamson County
Commissioner Russ Boles, Williamson County

Absent (8)

Mayor Brandt Rydell, City of Taylor, **Immediate Past Chair**
Commissioner Joe Don Dockery, Burnet County
Judge Hoppy Haden, Caldwell County
Judge Dan Mueller, Fayette County

Mayor Pro Tem Doug Weiss, City of Pflugerville
Judge Andy Brown, Travis County
Commissioner Cynthia Long, Williamson County
Commissioner Russ Boles, Williamson County

1. **Call to Order and Opening Remarks by the Chair**

Judge Oakley called the meeting to order at 10 a.m. and lead the board in the pledges of allegiance to the national and state flags.

2. **Consider Approving Minutes for the October 11, 2023, Meeting**

Judge Oakley asked the board to consider the Oct. 11, 2023, meeting minutes. Council Member Burno made a motion to approve the minutes. Commissioner Ingalsbe seconded the motion. It passed unanimously.

3. **Consider Accepting the Quarterly Investment Report**

Silvia Alvarado, Director of Finance

Ms. Alvarado said all CAPCOG's funds are in TexPool accounts — regular and prime. They have experienced an incredible yield, roughly 169 percent higher than the previous year. She said the last six months of interest has been about 5.5 percent with a quarterly interest earning of \$435,527. Ms. Alvarado noted that this equaled about \$1.4 million in total interest earnings for the year.

Mayor Hughson made a motion to accept the quarterly investment report. Mayor Pro Tem Baker seconded the motion. It passed unanimously.

4. **Consider Adopting the 2024 CAPCOG Homeland Security Strategic Plan Implementation Plan (HSSP-IP)**

Dee Harrison, Homeland Security Program Manager

Ms. Harrison said the HSSP-IP is a snapshot of what the region's homeland security and emergency management teams plan to do for the upcoming year. She noted that the plan is updated and approved

every year by the board as part of its planning and grant process.

Council Member Bruno asked why CAPCOG added enhancing community preparedness and resilience. Ms. Harrison said the Office of the Governor requested that be one of the plan's priorities.

Commissioner Beckett made a motion to approve the 2024 CAPCOG HSSP-IP. Ms. Schroeder seconded the motion. It passed unanimously.

5. Consider Adopting the 2024 CAPCOG Integrated Preparedness Plan (IPP)

Dee Harrison, Homeland Security Program Manager

Ms. Harrison said this item was similar to the previous one; however, the IPP is its three-year training plan.

Mayor Hughson made a motion to adopt the 2024 CAPCOG IPP. Judge Cunningham seconded the motion. It passed unanimously.

6. Consider Adopting the 2024 CAPCOG Homeland Security Grant Program Process Guidance

Dee Harrison, Homeland Security Program Manager

Ms. Harrison said the process guidance outlines what jurisdictions need to do to apply for the 2024 State Homeland Security Grant Program. She noted that it is based on the guidance from the Office of the Governors Public Safety Division.

Mayor Hughson made a motion to adopt the 2024 CAPCOG Homeland Security Grant Program Process Guidance. Mayor Pro Tem Longoria seconded the motion. It passed unanimously.

7. Consider Update to Records Management Policy

Andrew Hoekzema, Deputy Executive Director

Mr. Hoekzema said the Texas Local Government Code requires that all local governments identify their records management officer by either name or position. CAPCOG's policy which was last updated in 2013 needs to reflect the Deputy Executive Director will serve as the records management officer.

Mayor Hughson made a motion to update CAPCOG's Records Management Policy. Ms. Schroeder seconded the motion. It passed unanimously.

8. Consider Approving CAPCOG's Criminal Justice Policy Statement, Priorities, Project Summary Sheets and Scoring Criteria for Plan Year 2025

Charles Simon, Director of Regional Planning and Services

Mr. Simon said he would focus his discussion on the changes to the criminal justice grant process laid out in the documents recommended for approval. He noted that the Executive Committee will see the grant recommendations at their May 8th, 2024, meeting which provides extra time between when the Criminal Justice Advisory Committee (CJAC) makes its recommendations, and when those recommendations are reviewed by the board. Mr. Simon said almost all submitted applications will go before the CJAC to be scored and ranked. He noted that this year, governments who submit applications for ongoing projects will still have recommendations reducing funding based on how many years the project has received funding; however, projects in their 4th year will now be eligible for 40 percent funding, instead of just cutting projects off after their 3rd year.

Mayor Hughson asked if the 40 percent will be based off their original requested amount or new requested amount. Mr. Simon responded that it would be 40 percent of their first request.

Mr. Simon said the criminal justice grant workshops are not going to be required but will affect an applicant's score and ranks as attending a workshop will be worth 10 points; previously not attending the

workshop meant receiving a total score of zero. This will allow CAPCOG to make recommendations but not decide if someone should not be receiving funding.

Commissioner Howard said projects that had received multiple years of funding should get a chance to receive more funding if other projects don't exceed the State's Regional Budget Estimate, especially if they are valuable community projects. Mr. Simon said the grant process is introducing a funding multiplier that will move new projects higher up the ranking but not lessen the scores of returning projects. Ms. Schroeder asked if returning project applications will be requesting the reduced funding amount or will they apply for their full amount. Mr. Simon said that most applicants do not submit reduced funding applications.

Mayor Pro Tem Baker made a motion to approve CAPCOG's Criminal Justice Policy Statement, Priorities, Project Summary Sheets and Scoring Criteria for Plan Year 2025. Council Member Garland seconded the motion. It passed unanimously.

9. Consider Approving Committee Appointments

Betty Voights, Executive Director

Judge Oakley decided to discuss item No. 10 before No. 9.

Ms. Voights said that staff will adjust the process of using a memo for vacancies by also letting the Executive Committee know when a vacancy occurred since the last meeting; a memo will be done quarterly instead of monthly showing ongoing vacancies. Judge Oakley asked if there were any appointments to consider.

Commissioner Beckett recommended Bryce Hatley for a position on the Criminal Justice Advisory Committee. Council Member Kelly requested that Thomas Henery be removed from the Aging Advisory Council.

Commissioner Beckett made a motion to approve the committee appointments. Mayor Hughson seconded the motion. It passed unanimously.

10. Consider Providing Guidance for Solid Waste Grants

Charles Simon, Director of Regional Planning and Services

Judge Oakley said this item was brought forth by Commissioner Dockery, who was concerned about \$30,000 funding maximum for the Solid Waste Grant Program. Judge Oakley asked if CAPCOG staff had brought the new funding rules before the board. Mr. Simon said they hadn't; Ms. Voights added that these rules had been before the SWAC, but don't typically come to the board. She added that by reducing the funding amount, which was set at the average project award requested in previous years, it was an attempt to spread the funds to as many projects as possible. She noted that making changes now would extend the grant process' schedule, adding a month for people to submit applications for projects up to the new amount but reducing time to complete the project.

Mayor Pro Tem Baker asked if there was a downside to finalizing the grants a month later. Mr. Ken May, CAPCOG Solid Waste Program manager, said March is generally a good kickoff week for solid waste projects.

Judge Bray made a motion to approve a \$40,000 maximum funding amount on the solid waste grants and adjusting the application process timeline. Judge Cunningham seconded the motion. It passed unanimously.

11. Staff Reports

Betty Voights, Executive Director

Ms. Voights said that CAPCOG is seeking to get a grant from the TCEQ that will help solid waste diversion at schools by increasing recycling and food waste initiatives.

12. Adjourn

Judge Oakley adjourned the meeting at 11:18 a.m.

Mayor Pro Tem Matthew Baker, Secretary
Executive Committee
Capital Area Council of Governments

Date

EXECUTIVE COMMITTEE MEETING

MEETING DATE: December 13, 2023

AGENDA ITEM: #3 Consider Approval of CAPCOG and CAECD Depository for 2024 and 2025

GENERAL DESCRIPTION OF ITEM:

In accordance with Texas Health and Safety Code, Sec. 772.518, a competitive bidding process is required for the selection of a depository for the Capital Area Emergency Communications District (CAECD) at least every four years, with selection of the depository occurring at least every two years. While CAPCOG is not required to conduct a competitive bidding process for its depository, there are numerous operational benefits to CAPCOG contracting with a single depository for both the CAECD and CAPCOG, and the CAECD Board has deferred the decision on depository services to the CAPCOG Executive Committee.

CAPCOG received one (1) proposal from Frost Bank. Frost Bank is also our current bank depository, meets all requirements, and has performed satisfactorily in providing banking services. If approved, CAPCOG would continue to contract with Frost Bank for 2024 and 2025, with an option to renew for 2026 and 2027 that would be considered by this board in late 2025.

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: **Silvia Alvarado, Finance Director**

BUDGETARY IMPACT:

Total estimated cost: Approximately \$15,000 per year

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.? n/a

PROCUREMENT: Request for Proposals

ACTION REQUESTED:

Approve Frost Bank as CAPCOG's depository for 2024 and 2025

BACK-UP DOCUMENTS ATTACHED:

Memo regarding selection process with proposal excerpt

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



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BASTROP BLANCO BURNET CALDWELL FAYETTE HAYS LEE LLANO TRAVIS WILLIAMSON

MEMORANDUM
November 20, 2023

TO: Betty Voights, Executive Director

FROM: Silvia Alvarado, Director of Finance

RE: Frost Bank – CAPCOG & CAECD Depository for 2024 & 2025

Frost Bank responded to our Request for Proposals for a depository bank for 2024 & 2025 with an option to renew for an additional two years, there were no other respondents. As our bank depository, they have provided CAPCOG with financial services and treasury management satisfactorily for almost 10 years (since 2014). Over the years they have been responsive to CAPCOG's changing needs and their experience with financial services in the public sector allows us to easily manage our checking accounts for CAPCOG and the district; and by linking these to our investment accounts in TEXPOOL to manage funds between the two entities. The recommendation is to move forward with seeking approval from our executive board to continue with Frost as our depository for both CAPCOG and CAECD.

Request for Proposals for Depository Services

11/17/2023

PRESENTED TO:

Capital Area Council of Governments
Andrew Hoekzema
Deputy Executive Director
6800 Burleson Road, Building 310, Suite 165
Austin, TX 78744

PRESENTED BY:

Keith McAlonan
Vice President
Frost Bank
401 Congress Avenue, Suite 1200
Austin, Texas 78701



BANKING INVESTMENTS INSURANCE

Please note: All information contained in this proposal is confidential and proprietary.

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401 Congress Avenue, Suite 1200
Austin, Texas 78701

November 17, 2023

Andrew Hoekzema
Deputy Executive Director
6800 Burlleson Road, Building 310, Suite 165
Austin, TX 78744

Dear Mr. Hoekzema:

Frost would like to continue providing banking services for Capital Area Council of Governments, for the period beginning on January 1, 2024 effective until December 31, 2025. I am confident that our response maintains the exceptional resources, experiences and product offerings that you have come to expect from Frost.

Like all organizations, you are responsible for balancing revenue inflow while delivering services to your constituents. With emerging technologies, economic trends citizens' expectations and lifestyle demands, we are aware that this can place pressures on your ability to maintain the quality and level of services your organization has to offer.

My role as your trusted adviser and financial guide is to provide comprehensive and proven solutions that can manage those pressures by simplifying your operations, continue to serve as your primary contact, and Sybil Daniels, with Treasury Management Services, will continue to assist with your depository and treasury needs.

We are determined to help you achieve business outcomes most important to you. Frost's tailored solutions and expertise means you have a powerful partner on your side, no matter what your business issues may be now or in the future.

Upon award of this contract to Frost, we would like to offer the Capital Area Council of Governments waived analysis fees for the first two months. Additionally, we would like to offer deposit bags and the initial order of endorsement stamps at no charge through Frost's vendor.

We look forward to the opportunity to continue working with you. Please call should you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Keith McAlonan".

Keith McAlonan
Vice President

TABLE OF CONTENTS

FROST INTRODUCTION	1
About Frost	
Executive Overview	
Greenwich Award	
Windows, Cutoff Times, Deadlines, and Data Retention	
Bank Ratings	
ATTACHMENT A – PROPOSAL FORM FOR BANKING SERVICES	2
Request for Proposals for Depository Services	
Banking Services Proposal Form	
Commercial Banking and Treasury Management Services Fee Schedule	
SAMPLE STATEMENTS	3
Bank Statement	
Safekeeping	
SAMPLE ACCOUNT RECONCILIATION REPORT	4
SAMPLE ACCOUNT ANALYSIS STATEMENT	5
COLLATERAL POLICY & SAMPLE NEXEN REPORT	6
SAMPLE SAFEKEEPING AGREEMENT	7
Sample Collateral Agreement	
Safekeeping Fee Schedule	
AVAILABILITY SCHEDULE STATEMENT	8
SWEEP STATEMENT	9
SAMPLE AGREEMENTS	10
Treasury Management Procedures, Terms and Conditions	
Treasury Management Agreement	
FINANCIAL STATEMENT & QUARTERLY CALL REPORTS	11
SAMPLE DEPOSITORY AGREEMENT	12
IMAGING SERVICES	13

PRODUCT INFORMATION	14
REQUESTED INFORMATION	15
Merger Acquisition Statement	
Regulatory Agency Citations	
Biographies	
ATTACHMENT B – REQUIRED FORMS	16
A. Certifications of Offeror	
B. Certification of Compliance with Small, Disadvantaged, Minority, Women-Owned, and Historically Underutilized Business Policy	
C. Certification Regarding Debarment	
D. Certification Regarding Lobbying	
E. Certification Regarding Prohibition on Contracts with Companies Boycotting Israel	
F. Certification Regarding Disclosure of Conflict of Interest	
G. Certification of Fair Business Practices	
H. Certification of Good Standing- Texas Corporate Franchise Certification	
I. Texas Public Funds Investment Act Certification	
J. Certificate of Interested Parties Form – Form 1295	
 Attachment C – Investment Policy Certification	
REPORTING	17
ACH Activity	
Treasury Connect	
Current Day Wire	
DDA Ledger	
Remote Deposit Capture	
FEDI	
Positive Pay File Updates	
Positive Pay Rejects	
Previous Day	
COMPLIANCE & LEGAL DISCLOSURES	18
Affirmative Action	
Business Continuity Statement of Commitment	
Disaster Recovery	
Equal Employee Opportunity Policy	
Frost Security Measures	
Technology Specifications	
Certificate of Liability Insurance	
Statement Of Compliance with Chapter 2270	



TAB 1
FROST INTRODUCTION

OUR PHILOSOPHY AND THE FROST CUSTOMER EXPERIENCE

The Frost Philosophy is the foundation of our culture, and nothing is more important to us. Simply put, Frost builds long-term relationships with customers based on top-quality service, high ethical standards, and safe, sound assets. We've been doing business this way for more than 150 years, and while much has changed in that time, what will never change are the principles that Frost was founded upon: integrity, caring and excellence. The success of our customer experience has been validated by third parties and in reputation rankings. The service available in our financial center lobbies extends after hours and on weekends with real people answering our 24-hour customer service line, making sure you get the personal attention you deserve. This customer experience is what sets Frost apart from other banks.

A CUSTOMIZED APPROACH

Our experience helping Texas companies and families dates back to 1868. We learned long ago that everyone has different goals and dreams, which is why we really get to know you and your needs. We work with you to create a customized plan for your financial well-being. With \$50 billion in assets and \$54 billion in trust, advisory and brokerage assets (as of December 31, 2021), Frost has the strength and size to provide a full range of financial services across banking, investments and insurance. That includes a variety of deposit, checking and loan products, as well as our sophisticated treasury management services, leasing, and state-of-the-art online and mobile banking. Frost also offers a variety of insurance and investment services including employee benefits, risk management, trust and estate planning, managed investments and brokerage services.

A COMPANY STRENGTHENED BY ITS VALUES

One measure of a financial institution is how well it handles tough times. Throughout our history, we have helped customers through all kinds of ups and downs. We were the only one of the top 10 Texas banks to survive the 1980s intact and among the first to turn down government assistance during the 2008 financial crisis. Another measure is a financial institution's commitment to its communities. Everyplace we do business, Frost bankers work to make people's lives better. We're optimistic about opportunities because we have a track record of overcoming challenges.

A LEGACY OF INNOVATION

What started out in the corner of a San Antonio general store has grown to one of the 50 largest banks in the U.S. by asset size, with a growing number of financial centers serving customers all across Texas. We're renowned for our personal customer service, but Frost has also embraced leading financial technologies to help you reach your goals. Whether your transaction is done online, through our mobile app, with our 24-hour customer service line or in person at one of our financial centers, we'll make sure you get the best customer experience possible.



Investment management services and trust services are offered through Frost Wealth Advisors of Frost Bank. Investment and insurance products are not FDIC insured, are not bank guaranteed, and may lose value. Brokerage services offered through Frost Brokerage Services, Inc., Member FINRA/SIPC, and investment advisory services offered through Frost Investment Services, LLC, a registered investment adviser. Both companies are subsidiaries of Frost Bank. Additionally, insurance products are offered through Frost Insurance. Deposit and loan products are offered through Frost Bank, Member FDIC.

RELIABLE INFORMATION REPORTING

There is no doubt that today's 24/7 information environment offers the promise of better business decisions. Reliable, real-time data is essential to cost control, increased revenue generation and trend analysis that can point to potential problems or areas of opportunity early enough to manage to them successfully.

Accurate financial information is equally essential to other organizational functions as well, including documentation for internal and external audits, fulfillment of regulatory requirements and a necessary safeguard against financial fraud and information security breaches.

OPERATING EFFICIENCY

As organizations look for new ways to meet mission-critical objectives and stay agile in a changing world, their sights inevitably turn to questions about how to gain greater operational clarity and maximum efficiency. Especially important are operational areas that drive bottom-line performance: service, quality and cost.

Technology, human capital, business processes and management all play a role in shaping a more efficient organization because they impact operations in critical, though different, ways. And while every organization's efforts to gain the operational edge will be different from every other organization, all share the common objective of creating an environment where programs and services are delivered better, faster and less expensively.

CASH FLOW

Your day-to-day operations and long-term financial viability depend, in large measure, on getting access to funds quickly and easily and managing funds that must be paid out for expenses, taxes and other costs of doing business. In fact, cash flow is the lifeblood of any organization that expects to survive and thrive in today's economy.

Without a steady, reliable inflow of cash from receivables and collections and disciplined monitoring and control of cash outflows, you are faced with some unpleasant realities. Among the most troubling are difficulties meeting expected and unexpected expenses, uninformed decision-making, inability to plan responsibly for the future, and the real possibility that your organization's mission will be drastically diminished or, worse yet, prematurely cut short.

FRAUD

Despite the growing sophistication of payment technologies and security measures, criminals continue to "up the ante" by honing the tools of their deception. Today, payment fraud is unfortunately not on the wane; quite the contrary, the majority of organizations in the U.S. have experienced at least one incidence of payment fraud in the past, according to a survey from the Association for Financial Professionals (AFP).

Check payments and bankcard transactions continue to be most vulnerable, but ACH debits and, to a lesser degree, ACH credits and wire transfers are also targets for fraudulent activity, costing organizations hundreds of millions of dollars in losses each year. Though much of reported fraud is perpetrated by criminals outside of the organizations they attack, internal fraud, committed by the organization's own trusted employees, is no less common. Without vigilance and effective fraud deterrence measures, you may be more susceptible to fraud.

THE OUTCOMES YOU EXPECT

When it comes to financial services, Frost knows you are looking for results. The recommendations in this proposal can positively affect your financial functions so you perform more effectively, regardless of the economic circumstances in which you operate. Frost keeps its promises to be your trusted adviser and financial partner so you can achieve these results:

FULFILLMENT OF REGULATORY REQUIREMENTS

Regulations are a fact of life for organizations of all sizes and purposes. Many must comply with multiple laws, mandates, and standards coming from a variety of government agencies and industry bodies as well as internal policymakers.

Today, there is an increasing need to ensure that the investment in compliance also serves the organization's business interests. In meeting the challenges posed by compliance with complex laws and regulations, organizations are seeking new ways to effectively manage costs, complexity, and quality. In doing so, they can eliminate common problems that consume time and money: redundant internal monitoring, manual assessment processes and lack of access to critical data.

FRAUD PREVENTION AND DETERRENCE

Decades ago, crime-fighting was an unlikely strategic initiative for most American organizations. Today, with financial and identity fraud attacks on the increase, organizations have no recourse but to fight back. Not only must they defend their organizations and resources in this high-stakes battle against criminals, but they must also stay one step ahead of criminals whose modus operandi continues to evolve. Today's financial villains are more inclined to attack globally, not locally; are organized and systematic, not random and opportunistic; prefer to infiltrate systems rather than people or places; and erode earnings and trust through pernicious attacks.

The message is clear: as these crimes continue to grow, organizations must get smarter and more efficient at stopping criminals in their tracks, an outcome that you want to achieve.

MAXIMIZED CASH FLOWS

On track or heading for a cash crisis—chances are, the difference between the two for most organizations is cash flow and the financial processes that contribute to it. Invoicing, getting paid promptly, monitoring money flowing in and out and managing expenses all have their part in how cash flow—the fuel of any organization—plays out.

The challenge for most is how to even out cash peaks and valleys. The payoff: steady cash flows and the organization stays on course.

OPERATIONAL EFFICIENCIES

What keeps many organizations' finance executives awake at night? Operational efficiency, touted as the remedy for a host of organizational woes, is at the top of the list, and consequently enormous amounts of time and resources are invested in processes to create it. Too often, though, these processes break down, resulting in service lapses, excessive processing time, delayed projects, customer dissatisfaction and other problems that impact organizational results.

Then, how does operational efficiency "happen"? The right combination of process and technology come together with the right people to enhance the productivity and value of a business operation, driving down the costs to a desired level. When you achieve this outcome, resources can be redirected to new initiatives that bring additional capabilities to the organization.

EXPENSE CONTROL

As you know well, when you control your expenses, you control your future. By contrast, poor expense practices melt away income, take away from potential capital funds that could be used to create and deliver more services, and eventually play havoc with cash flows and the future of the organization.

Effective expense control, an outcome you want, leads to a stronger, leaner operation which is better equipped to fulfill and even expand its mission, is competitive when it needs to be, and can easily meet the changing or expanding requirements of those it serves.

FROST'S RECOMMENDATIONS

Every organization is looking for the edge that will allow it to operate at its full potential, to maximize its financial resources for the benefit of the organization and those it serves, and to go where it wants to grow. How do you get that edge?

In today's economic environment, that takes more than time and effort; it requires a truly committed financial services partner with time-tested, results-oriented products and a passion for customer service that goes well beyond business as usual. Frost wants that partnership with you and begins the relationship by getting to know your strengths, values, structures and goals better than most other organizations are willing to do. Then, we personalize financial solutions that are not only matched perfectly to your organizational characteristics, but are also designed to provide the positive operational and financial results you expect. In short, we'll help you get the edge, using the right blend of financial products and services that include:

ZERO BALANCE ACCOUNT

Frost's Zero Balance Account (ZBA) service can ease the burden of monitoring multiple accounts, and in the process, ensure that you minimize idle funds and administrative expenses. The account automatically concentrates (or gathers) funds into a primary funding or disbursement account from separate accounts you maintain for your organization's individual locations or units, freeing you from making manual transfers between a number of accounts. Although you still maintain separate deposit and payment records, ZBA sweeps funds between your primary concentration account and secondary accounts based on target balances you establish for both the primary account and each secondary account. The result: you simplify cash and liquidity management, improve the control and audit trail for cash gathering processes and ensure that funds are available to pay disbursements, reduce debt or invest.

ACCOUNT ANALYSIS

To compensate you for the balances you keep in your direct deposit accounts, Frost measures the value of those balances, adjusted for the costs of banking and treasury management services we deliver to you. Frost's account analysis service provides you a detailed analysis for each of your Frost accounts and a consolidated analysis for all accounts. A monthly statement, delivered electronically or by mail, outlines services you use during the month, the unit price for those services and the total price.

ONLINE BANKING SERVICE-TREASURY CONNECT

Treasury Connect, Frost's online banking service for commercial customers, makes it easy for you to manage your cash flow anytime and anywhere you have Internet access. Account information, transactions and Frost services are at your fingertips through this comprehensive service that helps you make smart business decisions and move money as your business requires. Available to you with Treasury Connect: detailed account information, including previous day transaction reporting, current day transaction reporting, bank statements and more; and access to a broad range of treasury management services, including positive pay, lockbox reports; ACH (debit and credit) origination, wire transfers, automated sweep reporting, online check inquiry and stop payment orders, and more. Treasury Connect gives you the control you want with the cost-savings and convenience that you expect.

FULL ACCOUNT RECONCILIATION SERVICES

Full Account Reconciliation offers you the maximum outsourced solution for reconciliation. Frost matches issued check information you provide us by data transmission against the paid check data in our files and issues reports you can use for internal tracking and analysis. Hard-copy reports include Analysis By Day; Statement; Outstanding Issue; Stale Item; Float Analysis; Stops, Voids and Cancels; and Missing Vouchers.

POSITIVE PAY SERVICES

In a time of unprecedented risk from payment and identity fraud, Frost's positive pay service arms you with an effective weapon against criminals who commit these offences. The service is simple to use: You provide an issued/voided check file to Frost from which we match incoming check clearings and checks presented at our teller windows. Checks that don't match your file are returned to you as exceptions for a pay decision. In short, you identify unauthorized, counterfeit or altered checks before they clear your account, giving you ultimate control over which checks are paid and which are held for review. As part of the service, you may also specify that you want to accept or not accept external ACH debits. Records are updated every 30 minutes so checks presented both at the teller window and through incoming check clearing are subject to the review.

FROST REMOTE DEPOSIT

Frost's remote deposit service lets you spend your time running your organization—not doing your banking. All you need is a secure Internet connection to use Frost's turnkey solution. You scan checks for deposit and balance the deposit file before transmitting it to Frost, all from the convenience of your office. With a successful transmission, your funds are credited to your account, just as if you had deposited them personally at a Frost financial center. Scan and deposit checks as late as 9 p.m. each banking day for same-day credit. Obvious benefits include: fewer trips to a Frost financial center, the convenience of making deposits when it fits your schedule, faster availability of funds because of extended deposit times and enhanced reporting capabilities.

WIRE TRANSFER SERVICES

Long regarded as a highly efficient way to quickly move funds, wire transfers offer you the ability to effectively manage cash flow and liquidity and maintain a valuable audit trail when you must transfer or disburse funds expeditiously. You may initiate domestic or international wire transfers, in U.S. dollars or foreign currencies on a repetitive or nonrecurring basis, through Frost's access to Fedwire—the Federal Reserve wire network—and SWIFT (Society for Worldwide Interbank Financial Telecommunications)—an international communications and payment network. Frost accommodates your wire initiations in three convenient ways: through Treasury Connect, its online banking service for commercial customers; by telephone; or at a teller window.

AUTOMATED CLEARING HOUSE (ACH) DIRECT DEPOSIT—CREDITS

Frost's Automated Clearing House (ACH) services offers you the speed and efficiency you want in making direct deposit payroll payments to your employees and other workers. You can reduce the number and costs of payroll checks you must prepare and reconcile by opting for ACH direct deposit payments to employees' accounts. Frost's ACH credits can be conveniently initiated by file transfer protocol (FTP) or Treasury Connect, our online banking service for commercial customers. And with Frost's Same Day ACH service, you can send and receive ACH transactions that will post by the end of the same day.

A RELATIONSHIP WITH FROST

As your trusted partner, Frost is committed to doing what is right for you. We don't believe in "one size fits all" business so we personalize our financial solutions to fit your organization. No matter what your unique requirements or operational idiosyncrasies are, our team of financial professionals works hard to accommodate them with the right mix of products, services and pricing that suits you perfectly.

And we don't just sell you financial products and services; we get to know you first. We would rather build a long-term relationship with you than make a quick sale so we take the time to understand your organization, its business challenges and its strengths, where you want to go and grow, and most important, what you need and expect from us. If you have a problem, we're here to work on a solution. If you need a new opportunity, we're here to help you find it and make the most of it.



Executive Overview

Frost understands the unique environment in which you must operate and has over 150 years of experience helping all kinds of organizations thrive in the Lone Star State. What makes us different than the other contenders for your valuable business? We get to know you in a way that is so personal we can meet your issues head-on and be your vital partner in achieving the outcomes that matter to you.

THE ISSUES YOU FACE

Like any other organization of your size and with your mission, you have financial issues that must be addressed if you are to meet your short- and long-term objectives. Frost knows that your most pressing concerns include:

- **A RELATIONSHIP WITH YOUR FINANCIAL SERVICES PROVIDER**

Is your financial services provider more interested in what you can add to its bottom line or what it can add to your bottom line? The answer says something fundamental about your relationship with the organization that likely claims to have your best interests at heart.

To win your business, financial services providers almost always talk about building a trusted relationship that puts your needs front and center. Why? Because savvy marketers know those words resonate with what you want and need most from your financial services provider. But beware of follow-through that can be minimal, callous, or worse yet, forgets or ignores you once the loan is transacted, the account is opened or the product is sold.

- **REGULATORY REQUIREMENTS**

Few existing organizations don't carry with them the mandate to conform to or, at the very least, acknowledge a set of regulatory requirements. To a greater or lesser degree, depending on their sphere of operation, these organizations must conduct business within guidelines set by the government; base their policies on laws and regulations; measure, assess and report operational data to governmental bodies; and, in some cases, carry out their mission at the behest of a regulatory body.

You understand the challenges of regulatory compliance—allocation of enough organizational resources to meet requirements; flexible technology design that supports and responds to regulatory changes; and sufficiently sophisticated internal processes to ease, not complicate, the compliance process, among others. The demands can be a tremendous drain on an organization without the right combination of expertise, assets, processes and planning.

- **CONTROL AND MONITORING OF EXPENSES**

Payments to vendors, disbursements for travel and entertainment, wages to employees and tax installments to government—all represent predictable expenses. The effort necessary inside your organization to adequately control and monitor those expenses can take a toll on time, money and human resources, a costly operational price to pay.

Yet, without these disciplines that help you track and tightly manage expenses, you could fall prey to consequences—disbursements not made on time, idle cash that is not working for you, payments that are vulnerable to the ever-present risk of fraud, and most importantly, missed opportunities to improve your bottom-line success.

- **RELIABLE INFORMATION REPORTING**

There is no doubt that today's 24/7 information environment offers the promise of better business decisions. Reliable, real-time data is essential to cost control, increased revenue generation and trend analysis that can point to potential problems or areas of opportunity early enough to manage them successfully.

Accurate financial information is equally essential to other organizational functions, including documentation for internal and external audits, fulfillment of regulatory requirements and a necessary safeguard against financial fraud and information security breaches.

- **OPERATING EFFICIENCY**

As organizations look for new ways to meet mission-critical objectives and stay agile in a changing world, their sights inevitably turn to questions about gaining greater operational clarity and maximum efficiency. Especially important are operational areas that drive bottom-line performance: service, quality and cost.

Technology, human capital, business processes and management all play a role in shaping a more efficient organization because they impact operations in critical, though different, ways. While every organization's effort to gain the operational edge will vary from every other organization, all share the common objective of creating an environment where programs and services are delivered better, faster and less expensively.

- **CASH FLOW**

Your day-to-day operations and long-term financial viability depend, in large measure, on getting access to funds quickly and easily and managing funds that must be paid out for expenses, taxes and other costs of doing business. Cash flow is the lifeblood of any organization that expects to survive and thrive in today's economy.

Without a steady, reliable inflow of cash from receivables and collections and disciplined monitoring and control of cash outflows, you face some unpleasant realities. Among the most troubling are difficulties meeting expected and unexpected expenses, uninformed decision-making, inability to plan responsibly for the future, and the real possibility that your organization's mission will be drastically diminished or, worse yet, prematurely cut short.

- **FRAUD**

Despite the growing sophistication of payment technologies and security measures, criminals continue to "up the ante" by honing the tools of their deception. Today, payment fraud is unfortunately not on the wane; quite the contrary, most organizations in the U.S. have experienced at least one incidence of payment fraud in the past, according to a survey from the Association for Financial Professionals (AFP).

Check payments and bankcard transactions continue to be most vulnerable, but ACH debits and, to a lesser degree, ACH credits and wire transfers are also targets for fraudulent activity, costing organizations hundreds of millions of dollars in losses each year. Though much of reported fraud is perpetrated by criminals outside of the organizations they attack, internal fraud, committed by the organization's trusted employees, is no less common. Without vigilance and effective fraud deterrence measures, you may be more susceptible to fraud.

THE OUTCOMES YOU EXPECT

When it comes to financial services, Frost knows you are looking for results. The recommendations in this proposal can positively affect your financial functions so you can perform more effectively, regardless of the economic circumstances in which you operate. Frost keeps its promises to be your trusted adviser and financial partner so you can achieve these results:

- **FULFILLMENT OF REGULATORY REQUIREMENTS**

Regulations are a fact of life for organizations of all sizes and purposes. Many must comply with multiple laws, mandates, and standards coming from a variety of government agencies and industry bodies as well as internal policymakers.

Today, there is an increasing need to ensure that the investment in compliance also serves the organization's business interests. In meeting the challenges posed by compliance with complex laws and regulations, organizations are seeking new ways to effectively manage costs, complexity and quality. In doing so, they can eliminate common problems that consume time and money: redundant internal monitoring, manual assessment processes and lack of access to critical data.

- **FRAUD PREVENTION AND DETERRENCE**

Decades ago, crime-fighting was an unlikely strategic initiative for most American organizations. Today, with financial and identity fraud attacks on the rise, organizations have no recourse but to fight back. Not only must they defend their organizations and resources in this high-stakes battle against criminals, but they must also stay one step ahead of criminals whose modus operandi continues to evolve. Today's financial villains are more inclined to attack globally, not locally; are organized and systematic, not random and opportunistic; prefer to infiltrate systems rather than people or places; and erode earnings and trust through pernicious attacks.

The message is clear: as these crimes continue to grow, organizations must get smarter and more efficient at stopping criminals in their tracks, an outcome you want to achieve.

- **MAXIMIZED CASH FLOWS**

On track or heading for a cash crisis—chances are, the difference between the two for most organizations is cash flow and the financial processes that contribute to it. Invoicing, getting paid promptly, monitoring money flowing in and out and managing expenses all have their part in how cash flow—the fuel of any organization—plays out.

The challenge for most is how to even out cash peaks and valleys. The payoff: steady cash flows and the organization stays on course.

- **OPERATIONAL EFFICIENCIES**

What keeps many organizations' finance executives awake at night? Operational efficiency, touted as the remedy for a host of organizational woes, is at the top of the list, and consequently enormous amounts of time and resources are invested in processes to create it. Too often, though, these processes break down, resulting in service lapses, excessive processing time, delayed projects, customer dissatisfaction and other problems that impact organizational results.

Then, how does operational efficiency "happen"? The right combination of process and technology come together with the right people to enhance the productivity and value of a business operation,

driving down the costs to a desired level. When you achieve this outcome, resources can be redirected to new initiatives that bring additional capabilities to the organization.

- **EXPENSE CONTROL**

As you know, when you control your expenses, you control your future. By contrast, poor expense practices melt away income, take away from potential capital funds that could be used to create and deliver more services, and eventually play havoc with cash flows and the future of the organization.

Effective expense control, an outcome you want, leads to a stronger, leaner operation that is better equipped to fulfill and even expand its mission, is competitive when it needs to be, and can easily meet the changing or expanding requirements of those it serves.

FROST'S RECOMMENDATIONS

Every organization is looking for the edge that will allow it to operate at its full potential, maximize its financial resources for the benefit of the organization and those it serves, and to go where it wants to grow. How do you get that edge?

In today's economic environment, that takes more than time and effort; it requires a truly committed financial services partner with time-tested, results-oriented products and a passion for customer service that goes well beyond business as usual. Frost wants that partnership with you and begins the relationship by getting to know your strengths, values, structures and goals better than other organizations are willing to do. Then, we personalize financial solutions that are not only matched perfectly to your organizational characteristics but designed to provide the positive operational and financial results you expect. In short, we'll help you get the edge, using the right blend of financial products and services that include:

- **ZERO BALANCE ACCOUNT**

Frost's Zero Balance Account (ZBA) service can ease the burden of monitoring multiple accounts, and in the process, ensure that you minimize idle funds and administrative expenses. The account automatically concentrates (or gathers) funds into a primary funding or disbursement account from separate accounts you maintain for your organization's locations or units, freeing you from making manual transfers between several accounts. Although you still maintain separate deposit and payment records, ZBA sweeps funds between your primary concentration account and secondary accounts based on the target balances you establish for both the primary account and each secondary account. The result: you simplify cash and liquidity management, improve the control and audit trail for cash-gathering processes and ensure that funds are available to pay disbursements, reduce debt or invest.

- **ACCOUNT ANALYSIS**

To compensate you for the balances you keep in your direct deposit accounts, Frost measures the value of those balances, adjusted for the costs of banking and treasury management services we deliver to you. Frost's account analysis service provides a detailed analysis for each of your Frost accounts and a consolidated analysis for all accounts. A monthly statement, delivered electronically or by mail, outlines the services you use during the month, the unit price for those services and the total price.

- **ONLINE BANKING SERVICE—TREASURY CONNECT**

Treasury Connect, Frost's online banking service for commercial customers, makes it easy to manage your cash flow anytime and anywhere you have Internet access. Account information, transactions and Frost services are at your fingertips through this comprehensive service that helps you make smart business decisions and move money as your business requires. Available to you with Treasury Connect: detailed account information, including previous day transaction reporting, current day transaction reporting, bank statements and more; and access to a broad range of treasury management services, including positive pay, lockbox reports; ACH (debit and credit) origination, wire transfers, automated sweep reporting, online check inquiry and stop payment orders, and more. Treasury Connect gives you the control you want with the cost-savings and convenience you expect.

- **FULL ACCOUNT RECONCILIATION SERVICES**

Full Account Reconciliation offers you the maximum outsourced solution for reconciliation. Frost matches issued check information you provide us by data transmission against the paid check data in our files and issues reports you can use for internal tracking and analysis. Hard-copy reports include Analysis By Day, Statement, Outstanding Issue, Stale Item, Float Analysis, Stops, Voids and Cancels and Missing Vouchers.

- **POSITIVE PAY SERVICES**

In a time of unprecedented risk from payment and identity fraud, Frost's positive pay service arms you with an effective weapon against criminals who commit these offenses. The service is simple to use: You provide an issued/voided check file to Frost, which we match incoming check clearings and checks presented at our teller windows. Checks that don't match your file are returned to you as exceptions for a pay decision. In short, you identify unauthorized, counterfeit or altered checks before they clear your account, giving you ultimate control over which checks are paid and which are held for review. As part of the service, you may also specify that you want to accept or not accept external ACH debits. Records are updated every 30 minutes so checks presented both at the teller window and through incoming check clearing are subject to the review.

- **FROST REMOTE DEPOSIT**

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your wire initiations in three convenient ways: through Treasury Connect, its online banking service for commercial customers; by telephone; or at a teller window.

- **AUTOMATED CLEARING HOUSE (ACH) DIRECT DEPOSIT—CREDITS**

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A RELATIONSHIP WITH FROST

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And we don't just sell you financial products and services; we get to know you first. We would rather build a long-term relationship with you than make a quick sale so we take the time to understand your organization, its business challenges and its strengths, where you want to go and grow, and most important, what you need and expect from us. If you have a problem, we're here to work on a solution. If you need a new opportunity, we're here to help you find it and make the most of it.



At Frost, we're proud to have been recognized by Greenwich with the most prestigious awards a bank can receive, the real measure of our success as a business is how we can help grow yours.

33 | **Greenwich Excellence and Best Brand* Awards**

18 | **Consecutive years receiving Greenwich Awards**

7 | **Consecutive years receiving the highest amount of Greenwich Awards nationwide**

Only Texas-based bank to receive national recognition for:

BEST BRAND

Ease of Doing Business • Trust

EXCELLENCE AWARDS

Likelihood to Recommend • Relationship Manager Proactively Provides Advice

CASH MANAGEMENT RECOGNITION

Customer Service • Product Capabilities • Making Commercial Payments Easier • Ease of Product Implementation

*Best Brand—Ease of Doing Business, Trust and Values Long-Term Relationships awards are based on distinctive customer ratings. Of the more than 500 banks evaluated, Frost was one of nine banks with a distinctive brand.

**“Our team works every day to make people’s lives better,
and that focus helps make us and our customers more successful.”**

— FROST CHAIRMAN AND CEO PHIL GREEN

EXECUTIVE COMMITTEE MEETING

MEETING DATE: December 13, 2023

AGENDA ITEM: #4 Consider Adopting a Proclamation Recognizing January 2024 as CAPCOG Human Trafficking Prevention Month

GENERAL DESCRIPTION OF ITEM:

Since 2010, January has been declared National Slavery and Human Trafficking Prevention Month. The U.S. Department of State and the U.S. Department of Health and Human Services lead the collaborative effort between all levels of government and the private sector to raise awareness and educate people about human trafficking, both nationally and internationally. Human trafficking poses major threats to the Nation, State, CAPCOG, our regional jurisdictions, agencies, and private sector partners.

Next year will be the 24th anniversary of the Trafficking Victims Protection Act (TVPA) of 2000 passed by Congress and signed into law in 2000. CAPCOG will focus on the U.S. Department of Health and Human Services human trafficking campaign, *Partner to Prevent*, to strengthen anti-trafficking efforts across the CAPCOG 10-county region.

CAPCOG Homeland Security has prepared a regional campaign around the *Partner to Prevent* campaign to raise awareness of and to educate communities about human trafficking. Materials for the public will be posted online and distributed through CAPCOG stakeholders.

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: **Dee Harrison, Homeland Security Program Manager**

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 Adoption of a Proclamation Recognizing January 2024 as CAPCOG Human Trafficking Prevention Month

BACK-UP DOCUMENTS ATTACHED:

Proclamation of January 2024 as CAPCOG Human Trafficking Prevention Month

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



A PROCLAMATION RECOGNIZING JANUARY, 2024, AS CAPCOG HUMAN TRAFFICKING PREVENTION MONTH

WHEREAS, the Capital Area Council of Governments (CAPCOG) is a political subdivision of the State, serving Bastrop, Blanco, Burnet, Caldwell, Fayette, Hays, Lee, Llano, Travis, and Williamson Counties; and,

WHEREAS, human trafficking is a modern form of slavery that occurs globally and in every state in the United States, including Texas where, in 2021, 917 cases involving 1,702 individuals were reported; and,

WHEREAS, human trafficking can happen to anyone and people can be trafficked both in person and online; in service industries, construction, and manufacturing; and by strangers or someone they know, including partners, parents, and other family members; and,

WHEREAS, human trafficking is preventable by enhancing individual and community education, understanding, and resilience; and,

WHEREAS, CAPCOG Human Trafficking Prevention Month creates an opportunity for the residents, businesses, and communities in the CAPCOG region to educate their employees and families, and communities to recognize and prevent Human Trafficking; and,

WHEREAS, the CAPCOG Executive Committee, along with other regional, state, and national partners support the *WarnCentralTexas.org* campaign to increase public awareness about all hazards facing our communities and educating residents, businesses, and property owners on how to be aware of, recognize, and to prevent human trafficking in their communities; and

WHEREAS, the CAPCOG Executive Committee encourages all residents, businesses, and communities to participate in human trafficking awareness, recognition, and prevention, activities, review human trafficking awareness information, and sign up to receive emergency alerts on the *WarnCentralTexas.org* website;

THEREFORE, BE IT RESOLVED, that, on behalf of the members of CAPCOG, the Capital Area Council of Governments Executive Committee hereby declares January, 2024, as CAPCOG Human Trafficking Prevention Month and encourages all residents, businesses, and communities educate themselves, their families, and employees about human trafficking and go to *WarnCentralTexas.org* to register to receive emergency alerts, and work as a whole community towards that end.

Resolution adopted by the Capital Area Council of Governments Executive Committee this 13th day of December, 2023.

Judge James Oakley, Chair
Executive Committee
Capital Area Council of Governments

Mayor Pro Tem Matthew Baker, Secretary
Executive Committee
Capital Area Council of Governments

EXECUTIVE COMMITTEE MEETING

MEETING DATE: December 13, 2023

AGENDA ITEM: #5 Consider Amending Advisory Committee Bylaws

GENERAL DESCRIPTION OF ITEM:

CAPCOG has created nine committees over several years, some of which are required by funding agencies and some that were created to address a work area that required regional input and participation. Although the bylaws were originally composed with standardized language for ease of managing compliance, many have been edited at the staff level. Only the Executive Committee has the authority to amend these; however, a few of the bylaws actually state they can be amended by that committee. The Executive Director's Office manages committee bylaws with regard to most current version, appointments and resignations, officer elections and special committees, attendance, and all other aspects of compliance as needed. The sections that need to be standardized are appointments, officer elections, quorums, committee liaisons, attendance and excused absences, voting, formation of work committees, and similar sections that address purpose and qualifications.

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: **Betty Voights, Executive Director**

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 bylaws for agency's committees.

BACK-UP DOCUMENTS ATTACHED:

Memo with list of standard sections for all bylaws

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

None



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BASTROP BLANCO BURNET CALDWELL FAYETTE HAYS LEE LLANO TRAVIS WILLIAMSON

MEMORANDUM

November 27, 2023

TO: Executive Committee
FROM: Betty Voights, Executive Director

CAPCOG has formed nine committees over the years, some of which are required by a funding agency while others meet a purpose related to the agency's programs. The required committees are the Aging Advisory Council, Criminal Justice Advisory Committee, Homeland Security Task Force, Solid Waste Advisory Committee, Law Enforcement Education Committee, CAECD Strategic Advisory Committee, and the Capital Area Economic Development District Committee. Committees we have formed to support and further programs goals are the GIS Planning Council, Capital Area Rural Transportation Planning Organization, and the Clean Air Coalition.

Because the Executive Committee has created these committees along with their bylaws, the Executive Director's office manages all aspects of them including appointments and reappointments, membership and issues related including attendance, activities and issues addressed, and compliance with meetings management issues. For several years, we have needed to amend all of the bylaws to standardize several sections that will make managing the committees doable.

Introductions

In addition to addressing several operating rules, it would be valuable to start each set of bylaws the same:

Purpose of committee – not more than two paragraphs explaining general purpose including whether it meets a requirement of a funding agency or some other contractual responsibility. Include duties if specified by funding agency, contract requirements, or CAPCOG governing body.

Qualifications including categories of interest groups, disciplines, agencies, position or a field of work specific or generally related to the purpose and duties of the committee.

Committee members must either be residents or employees working in CAPCOG's ten county region, specifically State Planning Region 12. Committee members appointed to represent a city or county within the region must reside or work in that local government's jurisdiction. If a committee member does not reside in the region and no longer works for the employer in the region, he/she is no longer eligible to serve.

Operating Rules

Once standardized in all our bylaws, many now have unique language and rules as a result of well-meaning and creative staff members and this has made it difficult to track operating requirements and procedures. Following are the key areas for operations with recommended language:

Membership

Appointment and reappointment of members – will be made at the first meeting of the Executive Committee in even-numbered years.

Election of officers – will be conducted at the first meeting of the even-numbered year. Officers shall serve a two-year term and may serve two consecutive terms.

Meetings – regular meetings should be scheduled in January for the entire year when possible; otherwise, committee meetings may be called as needed to conduct business related to the purpose and duties of committee.

Attendance – members must attend 50% of the meetings to be in good standing. One absence per calendar year may be excused if staff liaison is notified a minimum of five business days prior to the day of the meeting to ensure a quorum is available.

Advisory committees will have a “**committee liaison**” who serves on and is appointed by the CAPCOG Executive Committee, or in its role as the CAECD board. The committee liaison is a non-voting member and does not count toward the quorum.

Advisory committees will have a “**staff liaison**” which will be designated by the director of the division who manages the committee and program of work. The staff liaison will be identified at the first meeting of the year. The Executive Director or representative will maintain the master roster of all committee membership and attendance.

Committee Meetings

Voting - Only the appointed committee member may vote.

CJAC is the only committee that allows formal proxies due to the committee’s time commitment for grant scoring process. (CJAC and HSTF must add language governing consanguinity and affinity per OOG).

Standing Committees – Committee may identify the need for standing committees for a specific purpose or need; only members in good standing may be elected. The committee votes on establishing the committee and a sunset date for review of work.

Ad Hoc Committees – Committee Chair may appoint members to an ad hoc committee; only members in good standing may participate.

Quorum – established when 51% of the members are in attendance not including vacancies.

Open Meetings - All committees will be conducted as meetings open to the public and bylaws and meetings will be posted on the agency website. Bylaws will specify if committee is required to comply with the Open Meetings Act, Government Code Ch 551 due to a statutory, legal, or contractual requirement.

All meetings shall be conducted in accordance with Roberts Rules of Order.

Minutes once approved at a subsequent meeting will be retained by CAPCOG in accordance with its Records Retention Policy.

Bylaws Amendments

All committee bylaw amendments must be formally approved by the CAPCOG Executive Committee, or in its role as the CAECD board.

EXECUTIVE COMMITTEE MEETING

MEETING DATE: December 13, 2023

AGENDA ITEM: #6 Consider Adopting a Resolution Approving the City of Niederwald as a Member of the Capital Area Council of Governments

GENERAL DESCRIPTION OF ITEM:

The City of Niederwald contacted CAPCOG to become a COG member in early November and is moving forward to provide its governing body resolution as required by Article II Section 2.3 of CAPCOG's Bylaws. As a Full Member the City will receive one voting representative on the General Assembly based on its current population. Once approved, the City Council will appoint one of its Council Members to serve in that slot and submit the General Assembly Appointment form used when adding or replacing members of that body.

CAPCOG currently has a membership consisting of 65 municipal governments and 10 county governments as well as 22 organizations serving as Associate Members. Neiderwald is one of seven municipalities in the region that is not presently part of the COG. Niederwald is located in Caldwell and Hays counties and has a population of 673 according to the latest census population estimate.

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 W. Canales, Public Information 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 approving the City of Niederwald as full member of CAPCOG.

BACK-UP DOCUMENTS ATTACHED:

1. CAPCOG Resolution to approve Niederwald as new associate member
2. Bylaws — Membership in Council, Sections 2.1 through 3.3
3. Copy of the Niederwald minutes approving joining CAPCOG.

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

1. The Niederwald resolution requesting CAPCOG membership.



RESOLUTION

A RESOLUTION APPROVING THE CITY OF NIEDERWALD AS A FULL MEMBER OF THE CAPITAL AREA COUNCIL OF GOVERNMENTS

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 submits 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 Niederwald, a local municipal government within Caldwell and Hays counties;

THEREFORE, BE IT RESOLVED that the Executive Committee of the Capital Area Council of Governments admits Niederwald as a Full Member of the General Assembly and recognizes Niederwald'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, 13th day of December 2023.

Judge James Oakley, Chair
Executive Committee
Capital Area Council of Governments

Mayor Pro Tem Matthew Baker, Secretary
Executive Committee
Capital Area Council of Governments

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.

ARTICLE III – REPRESENTATION IN THE GENERAL ASSEMBLY

Section 3.1 – General Assembly

The representatives of members of the Capital Area Council of Governments are collectively the General Assembly of the Council.

Section 3.2 – Elected Officials

At least two-thirds of the voting representatives in the General Assembly must be elected officials of the governing body of full members of the Council.

Section 3.3 – Full Member Representatives

(a) Each full member of the Council is entitled to representation in accordance with the following schedule based on the member's population determined under Section 9.4:

<i>Counties</i>	<i>Municipalities</i>	<i>No. of Representatives</i>
Under 20,000	Under 10,000	1
20,000-100,000	10,000-50,000	2
100,000+	50,000-100,000	3
-----	100,000+	4

(b) The governing body of the full member shall select its representatives to the General Assembly.

(c) Each representative of a full member has one vote in the General Assembly and on all committees on which the representative serves.

Niederwald City Council
November 6, 2023 Council Meeting Minutes

The following represents the actions taken by the Niederwald City Council in the order they occurred during the City Council meeting.

Mayor Charles Bisson called the meeting to order at 7:00 p.m.

Role was called. Council members in attendance were:

Ken Perry
Diane Shirey
Connie Wood
Dawn Bowen
Jaime Aragon

City Secretary Reynell Smith was also in attendance.

A moment of silence was observed.

Presentations: None

Public Comment: None

The council meeting was closed at 7:02 pm and the first Public Hearing to Consider the annexation of 3.542 acres at 12954 Camino Real was open at 7:02 pm.

The Public Hearing was closed at 7:03 pm and the second Public Hearing to consider a variance request for parking at 13770 Camino Real (Dollar General) was opened at 7:03 pm.

The Public Hearing was closed at 7:05 pm.

Agenda Item 1. Consent Agenda Items.

1.1 Discussion and possible action on the minutes of the September 23 and October 2 City Council Meeting.

1.2 Discussion and possible action to adopt a resolution authorizing the change in banking signatures and debit/credit cards and safety deposit box access to remove Sara Montgomery and add Reynell Smith.

1.3 Discussion and possible action to adopt a resolution authorizing the removal of Sara Montgomery as authorized user from the TexPool account and replacing with Reynell Smith

1.4 Council approval of the October Financials as presented.

Synopsis. The City Secretary suggested that the council not take action on the presented financials because she was not able to balance the cash account at this time.

Motion: Council Member Bowen motioned to table item 1.4 and Council Member Perry seconded the motion.

Vote: Wood – Yes
Shirey – Yes
Bowen – Yes
Aragon – Yes
Perry - Yes

Motion Passed

Synopsis: There was a brief explanation of the other items and 3 grammar corrections to the Council minutes of October 2, 2023

Motion: Council Member Perry motioned to approve the remaining consent items and Council member Shirey seconded the motion.

Vote: Wood – Yes
Shirey – Yes
Bowen – Yes
Aragon – Yes
Perry – Yes

Motion Passed

Agenda Item 2. Discussion and possible action on the annexation of 3.542 acres at 12954 Camino Real.

Synopsis: There was no further discussion since this was done in the public hearing.

Motion: Council Member Wood motioned to annex the 3.542 acres at 12954 Camino Real and Council member Bowen seconded the motion.

Vote: Wood – Yes
Shirey – Yes
Bowen – Yes
Aragon – Yes
Perry – Yes

Motion Passed.

Agenda Item 3. Discussion and possible action on a variance request for parking requirements for 13770 Camino Real.

Synopsis: There was no further discussion since this was done in the public hearing.

Motion: Council Member Wood made a motion that we grant the variance and Council Member Shirey seconded the motion.

Vote: Wood – Yes
Shirey – Yes
Bowen – Yes
Aragon – Yes
Perry – Yes

Motion Passed.

Agenda Item 4. Discussion and possible action on appointing a new Records Management Officer with the Texas State Library.

Synopsis: There was no discussion needed for this item.

Motion: Council Member Wood made a motion to appoint Reynell Smith as the Records Management Officer and Council Member Perry seconded the motion.

Vote: Wood – Yes
Shirey – Yes

Bowen – Yes
Aragon – Yes
Perry – Yes

Motion passed.

Agenda Item 5. Discussion and possible action on adopting a Resolution for Caldwell County for the approval of the 2023 tax roll along with a copy of the totals from the tax roll.

Synopsis: No discussion was needed as this is an annual item.

Motion: Council Member Shirey motioned to adopt the presented resolution and Council member Perry seconded the motion.

Vote: Wood –Yes
Shirey – Yes
Bowen – Yes
Aragon – Yes
Perry – Yes

Motion Passed.

Agenda Item 6. Discussion and possible action on appointing a committee or someone to move forward with planning a community Christmas/Holiday Party, which may include approving a date, time, budget and location.

Synopsis: Discussion was made as to how to promote the event and the short time for planning and volunteers who would be likely to help. Council Member Wood volunteered to decorate City Hall.

Motion: Council Member Wood made a motion that we wait until next year to have a large event but have cookies or snacks and hot chocolate available at the December meeting, with a budget of \$300. The motion was seconded by Shirey.

Vote: Wood –Yes
Shirey – Yes
Bowen – Yes
Aragon – Yes
Perry – Yes

Motion Passed.

Agenda Item 7. Discussion and possible action on appointing a CAPCOG Representative.

Synopsis: The City Secretary gave the benefits of being a member and asked Council to join and appoint someone as the Representative for their December 13 meeting in Austin. She stated that the dues for joining in December would be \$67.30.

Motion: Council Member Wood made a motion that we join and appoint Reynell Smith as the Representative for the December meeting.

Vote: Wood –Yes
Shirey – Yes
Bowen – Yes
Aragon – Yes
Perry – Yes

Motion Passed.

Agenda Item 8. Discussion and possible action on the creation of a city clerk position with job description and job posting.

Synopsis: The council read over the presented job description in their packets and discussed rate of pay. They asked for Council Volunteers for a hiring committee.

Motion: Council Member Perry motioned to approve the job description with a rate of pay \$15 to \$20 per hour depending on qualifications and appointing Reynell, Shirey and Bowen as the hiring committee. Council member Wood seconded the motion.

Vote: Wood –Yes
Shirey – Yes
Bowen – Yes
Aragon – Yes
Perry – Yes

Motion Passed.

Agenda Item 9. Discussion and possible action on approving the 2017 Independent Auditors report by Anthony Tegby and approving payment of same.

Synopsis: No discussion was needed as this is an annual item and the Council had sufficient time to read over their emailed packets.

Motion: Council Member Wood motioned to approve and pay for the 2017 Audit and Council member Perry seconded the motion.

Vote: Wood –Yes
Shirey – Yes
Bowen – Yes
Aragon – Yes
Perry – Yes

Motion Passed.

Agenda Item 10. Discussion and possible action on having City Attorney attend Council Meetings.

Synopsis: Mayor Bisson expressed that for financial concerns he would rather not commit to every meeting. Other options were discussed.

Motion: Council Member Wood motioned to let the Mayor and City Secretary approve which meetings that we ask the Attorney to attend instead of every meeting. Council Member Shirey seconded the motion.

Vote: Wood –Yes
Shirey – Yes
Bowen – Yes
Aragon – Yes
Perry – Yes

Motion Passed.

Agenda Item 11. Discussion and possible action on having two meetings a month, possibly 1st and 3rd Mondays.

Synopsis:

Motion: Council Member Wood motioned to have two meetings a month temporarily on the 1st and 3rd Monday of the month and Council member Perry seconded the motion.

Vote: Wood –Yes

Shirey – Yes
Bowen – Yes
Aragon – Yes
Perry – Yes

Motion Passed.

Agenda Item 12. Discussion and possible action on an Ordinance amending the City's Subdivision Ordinance by adopting a new fee schedule.

Synopsis: The City Attorney had provided us with an Ordinance that the Council read over, and there was general discussion regarding the reasoning behind the Ordinance which was stated to be in compliance with the new legislation that went into effect September 1st.

Motion: Council Member Perry motioned to approve the new Ordinance and Council member Wood seconded the motion.

Vote: Wood –Yes
Shirey – Yes
Bowen – Yes
Aragon – Yes
Perry – Yes

Motion Passed.

Agenda Item 13. Discussion and possible action on an Ordinance amending the City's Site Development Ordinance by adopting a new fee structure.

Synopsis: Mayor Bisson announced that this is for the same reason as the previous item on the agenda.

Motion: Council Member Wood motioned to approve the new Ordinance and Council member Perry seconded the motion.

Vote: Wood –Yes
Shirey – Yes
Bowen – Yes
Aragon – Yes
Perry – Yes

Motion Passed.

Agenda Item 14. Discussion and possible action on hiring a new City Engineer.

Synopsis: Mayor Bisson gave a brief history of Ed Moore who was our engineer in the past. He had submitted a proposal for the Council to consider.

Motion: Council Member Wood motioned to approve the proposal that was submitted by the Moore Group and Council member Shirey seconded the motion.

Vote: Wood –Yes
Shirey – Yes
Bowen – Yes
Aragon – Yes
Perry – Yes

Motion Passed.

Agenda Item 15. Discussion and possible action on changing construction regulations for portable buildings, decks, carports and other outbuildings.

Synopsis:

Motion: Council Member Perry motioned to change our existing ordinance of requiring building permits for portable buildings, decks, carports and other outbuildings to not require permits of these uninhabited structures and Council member Wood seconded the motion.

Vote: Wood – Yes
Shirey – Yes
Bowen – Yes
Aragon – Yes
Perry – Yes

Motion Passed.

Agenda Item 16. Discussion and possible action on revising Ordinance regarding permanent foundations, regulations and inspections on manufactured housing.

Synopsis: Discussion was made regarding the overlap of Federal, State and Local regulations. The existing regulations were discussed.

Motion: Council Member Perry motioned to change our Ordinance but still require a building permit to include a site plan in order to ensure building set-backs, age of home, and driveways are still in compliance but allow the installation to be handled by TDHCA Manufactured housing division and Council member Wood seconded the motion.

Vote: Wood – Yes
Shirey – Yes
Bowen – Yes
Aragon – Yes
Perry – Yes

Motion Passed.

Agenda Item 17. Discussion and possible action on approval of Studio Estates, Lot 38, Section 2B Replat.

Synopsis: This lot was previously dedicated as parkland, however, due to the fact that he dedicated an overage of required parkland, Mr. Cuddy is wanting to remove this lot for use as a residential lot. An email from our city attorney was read, stating that he saw no legal issue with doing so.

Motion: Council Member Perry motioned to approve the Replat and Council member Wood seconded the motion.

Vote: Wood – Yes
Shirey – Yes
Bowen – Yes
Aragon – Yes
Perry – Yes

Motion Passed.

Agenda Item 18. Discussion and possible action on approval of Studio Estates, Lot 11, Section 2B, Block C Replat.

Synopsis: It was stated that we had no comment from the county, our engineer or attorney at this time.

Motion: Council Member Perry motioned to table the item pending further review from County or Engineer and Council member Shirey seconded the motion.

Vote: Wood – Yes
Shirey – Yes

Bowen – Yes
Aragon – Yes
Perry – Yes

Motion Passed.

Agenda Item 19. Discussion and possible action on approval of contractor to re-level city hall.

Synopsis: Reynell stated that she had not received a bid from the last contractor who came and looked at the project, nor had she received an amended bid from the first contractor.

Motion: Council Member Perry motioned to table the item and add it to our next agenda and Council member Wood seconded the motion.

Vote: Wood –Yes
Shirey – Yes
Bowen – Yes
Aragon – Yes
Perry – Yes

Motion Passed.

Agenda Item 20. Discussion and possible action on a rate change for Centerpoint Energy.

Synopsis: The Council had the choice of denying the change, approving the change or taking no action.

Motion: Council Member Perry motioned to take no action and Council member Shirey seconded the motion.

Vote: Wood –Yes
Shirey – Yes
Bowen – Yes
Aragon – Yes
Perry – Yes

Motion Passed.

Agenda Item 21. Report on city operations and activities by City Secretary

Motion: None

Agenda Item 22. Discussion and possible action on paying bills in excess of City Secretary's authorized limits.

Synopsis: The outstanding bills presented were Bovey \$4703.59, LNV \$1182.50, ATS \$31,590 and TML Risk Pool \$5512.50.

Motion: Council Member Perry motioned to pay the outstanding bills as listed and Council member Shirey seconded the motion.

Vote: Wood –Yes
Shirey – Yes
Bowen – Yes
Aragon – Yes
Perry – Yes

Motion Passed.

Announcements:

Next City Council Meetings are November 20, 2023, and December 4, 2023.

City Hall will be closed November 6th for Veterans Day observance and November 23 and 24th for Thanksgiving.

The Meeting was adjourned at 8:34 p.m.



Mayor
City of Niederwald



Attest:



City Secretary
City of Niederwald

EXECUTIVE COMMITTEE MEETING

MEETING DATE: December 13, 2023

AGENDA ITEM: #7 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: **Jennifer Salazar, Senior Administrative 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:

Approve any advisory committee recommendations.

BACK-UP DOCUMENTS ATTACHED:

N/A

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