

**Lower Rio Grande Valley Development Council
Homeland Security Advisory Committee
Bylaws
FY2024-2025**



**LRGVDC Public Safety - Homeland Security Program
301 W. Railroad St.
Weslaco, TX 78596**

Contact Us



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Article I - Name, Purpose, Responsibilities

The Homeland Security Advisory Committee (HSAC) was created as a voluntary, unincorporated association of the Lower Rio Grande Valley Development Council (LRGVDC) in November of 2004.

The HSAC's primary responsibility is to assist the LRGVDC in the development, implementation, review, and update of comprehensive plans to serve the needs of the region in the event of terrorist activities, natural disasters, and man-made disasters and to evaluate and make recommendations on grant applications submitted by eligible jurisdictions.

Subject to LRGVDC Board of Directors specifying otherwise, the HSAC's specific responsibilities are:

1. The prioritization of funding proposals to determine their consistency with applicable regional plans and furnishing these evaluations to the LRGVDC Board of Directors.
2. To advise LRGVDC's member cities, counties, and special districts, directly or through the LRGVDC Board of Directors, on matters within their jurisdiction pertaining to emergency preparedness, homeland security and other matters.
3. To identify regional gaps, existing capabilities, available resources and to establish goals and priorities.
4. Identify trainings and exercises/workshops.

Article II Membership

The HSAC is composed of 14 member jurisdictions, and shall be appointed members based upon the following criteria:

1. Member Jurisdictions from Cameron County, 5 representative(s) jurisdictions
Member Jurisdictions from Hidalgo County, 7 representative(s) jurisdictions
Member Jurisdictions from Willacy County, 2 representative(s) jurisdictions
2. The 14 member jurisdictions which are presently members of the HSAC (under existing criteria, Article II- Qualifications, Section 3) shall remain as "permanent" members of the HSAC, so long as they remain eligible pursuant to these bylaws.
3. Upon a vacancy, as described hereunder, the jurisdiction within that affected county shall appoint a replacement candidate. Thereafter, the proposed candidate must be confirmed by simple majority of all HSAC members present i.e. the person with the most votes.
4. A representative of the LRGVDC Board of Directors may serve on the advisory committee.
5. A LRGVDC staff member, designated by the LRGVDC Board of Directors, shall act as HSAC Liaison, and shall attend each HSAC meeting.



Term

1. If the member were to become ineligible, the individual may be reappointed once the individual meets all qualifications listed under existing criteria as annotated in Article II- Qualifications, Section 3
2. In the case of a city vacancy, the mayor for the city must send their recommended member for the appointed seat. If the position it is a county vacancy, the county judge will send in their recommendation for that vacancy. Ratification of the replacement to serves as a qualified member is retained only by the LRGVDC Board of Directors.
3. All members will be renewed and approved by the LRGVDC Board of Directors on an annual basis beginning on the first Thursday in October of the Federal Fiscal Year.
4. There is no maximum amount of terms that a member can serve on the HSAC.
5. A member may be removed for good cause at any time by the LRGVDC Board of Directors.

Qualifications

1. To be eligible for membership on the HSAC, a jurisdiction must have an up-to-date and approved Emergency Management Plan on file with the State of Texas-Office of Homeland Security. The plan must comply with all the requirements and regulations under the Homeland Security Presidential Directives (HSPD) 5. This directive authorized the Secretary of Homeland Security to develop and administer a National Incident Management System (NIMS), which provides a consistent nationwide approach for Federal, State, Local and Tribal governments to increase interagency cooperation and coordination effectively and efficiently in order to prevent, prepare for, respond to, and recover from domestic incidents, regardless of cause, size, or complexity.
2. Member jurisdictions shall appoint individuals to exercise the member's voting and other privileges on the HSAC. Such individuals shall be employees of the member jurisdiction with experience in any of the categories enumerated in paragraphs 3 (A-G) below. Each member jurisdiction shall appoint a primary representative and three alternates/proxies to represent the jurisdiction on the HSAC. Such designation shall follow their own jurisdiction's local protocol and shall present in writing by an Authorized Official such as but not limited to the county judge or highest elected official, county administrator or designee, city mayor, and submitted to the HSAC by an authorized representative of the member jurisdiction. The designation may be changed from time to time by the member jurisdiction by an amended written designation. No person, other than the person listed as an alternate/proxy shall be eligible to exercise voting and privileges on behalf of the primary member.
3. Member jurisdictions shall designate individuals to represent it on the HSAC who have experience in the categories listed below; provided, however, that member jurisdictions shall, subject to the requirements of paragraph 2 above, have discretion to appoint such individuals as they deem appropriate to represent it on the HSAC.



- A. Emergency Management
- B. Law Enforcement
- C. Fire Service
- D. Emergency Medical Services
- E. Special Needs Community
- F. Public Health
- G. Public Works

Vacancy

A vacancy occurs when:

1. A member jurisdiction becomes ineligible for a period of more than one (1) calendar year; or
2. A member is not reappointed; or
3. A member resigns (resignations shall be in writing to the LRGVDC HSAC liaison and the Advisory Committee Chair); or
4. A member is removed; or
5. A member no longer meets the qualification requirements.

Attendance

1. Attendance records documenting HSAC member absences will be maintained by the LRGVDC-HSAC Liaison and internal staff. If none of the representatives designated by a member is able to attend a scheduled meeting, notification must be provided to the HSAC liaison prior to the meeting.
2. An HSAC Member or the member's alternate/proxy is expected to attend all regular meetings. Failing to attend at least 50%, of the HSAC meetings during a calendar year, may be subject to removal from the HSAC. The member will be electronically notified upon the fourth (4th) absence to advise the member of the six (6) absence rule. On the sixth (6) absence, the member will be notified in writing (both email and hardcopy letter) that is signed by the LRGVDC Executive Director of such removal.
3. Members so removed may appeal in writing (both email and hardcopy letter) to the LRGVDC Board of Directors within two (2) weeks of the date of notification. Appeals will be handled in a timely manner as designated by the LRGVDC Board of Directors and the member will be notified in writing (both email and hardcopy letter) of the decision.



Article III – Officers

Election

1. The HSAC shall elect a Chair, Vice-Chair and Parliamentarian from among the primary representatives designated by the member jurisdictions. Election of a Chair, Vice-Chair and Parliamentarian will occur at the time of member elections/renewals on the first Thursday of October of the Federal Fiscal Year. Only the individual elected by the HSAC shall be eligible to carry out the functions of the office to which that person is elected, *i.e.*, alternate/proxy representatives from the same member jurisdiction can not serve in the officer's absence unless dully elected. Thereafter, the purposed candidate must be confirmed by simple majority of the HSAC members i.e the majority of the votes.

Term

1. Elected Officers serve 2 year terms beginning on the date of election. Upon HSAC and LRGVDC Board of Directors approval, Officers will serve a maximum of two (2) consecutive terms.

Vacancy

1. In the event an Officer is unable to fulfill his or her term, the HSAC shall elect a replacement at a regular or specially called meeting, who will serve for the remainder of the unexpired term.

Duties

1. The Chair presides at the meetings of the HSAC and shall have full voting privileges.
2. The Vice-Chair performs the Chair's duties in the absences of the Chair. In the event both the Chair and Vice-Chair are absent from a meeting, the HSAC Parliamentarian will preside over the meeting.
3. The Parliamentarian ensures that the meeting is kept in order and proceeds in a timely manner. The Parliamentarian may serve in place of the Vice-Chair in the vent the designated individual is not present. The Parliamentarian may also serve as the presiding member of the HSAC in the event that both the Chair and Vice-Chair are not present.
4. If the Chair, Vice-Chair and Parliamentarian are not present during the meeting, the HSAC shall select who presides over the meeting.

Other Officers

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



Article IV- Meetings

Regular Meetings

1. The HSAC shall meet a minimum of 6 times a year (no meeting in July), to include the prioritization meeting at a time and place specified by the HSAC Liaison. Should there be a conflict in schedules, such as a holiday or an agreed change to the movement of a meeting: the meeting will be rescheduled at a time that is appropriate. Notes: Change all sections that state 6 meetings.
2. Written notice, including an agenda, of each regular shall be prepared by the LRGVDC HSAC liaison and electronically transmitted to each HSAC member at least five (5) business days before the meeting date. However, if the notice is not provided within the time indicated, and a quorum of HSAC members are present, the meeting may proceed and the defect in notice shall not affect the validity of any action taken at such meeting.
3. HSAC may conduct telephone and videoconference calls to conduct meetings. These meetings must be set up to provide live two-way communication during the entire conference call and the identity of each HSAC member must be clearly stated prior to speaking.

Special Meetings

1. The HSAC shall meet specially if called by the LRGVDC Board of directors, the LRGVDC HSAC liaison, the HSAC Chair, or requested in writing by at least one Third, four (4) members of the membership, excluding vacancies, of the HSAC.
2. A request by the membership for a special meeting must be in writing or in electronic format, addressed to the Chair, and must describe the purpose 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 HSAC business.
2. A majority vote of the members present at a meeting at which a quorum is present is necessary for action by the HSAC. During a meeting at which a quorum has been established, and then subsequently lost due to members leaving, all remaining business items requiring an HSAC vote or action must be postponed until the next scheduled meeting at which a quorum is established.
3. A HSAC member may not transfer voting rights to the proxy of another jurisdiction.



Open Meetings and Records

1. All regular meetings of the HSAC shall be open to the public. Minutes of the HSAC meetings, documents distributed, and other records are the property of LRGVDC. These materials are available for public view, at the LRGVDC offices, upon receipt of a written request by the interested party.
2. Except where these bylaws require otherwise, *Robert's Rules of Order* shall govern the conduct of HSAC meetings in the event of any dispute regarding the conduct of business.
3. The HSAC Committee may conduct business via conference call and/or electronic transmissions, with any actions taken by the HSAC Committee being placed on the next regularly scheduled monthly meeting for ratification by the board.

Conflict of Interest

1. An HSAC member other than an elected public official, who is a member of the governing body, an officer, or an employee of an applicant for funding and who has a financial interest or business relationship with a vendor or proposed vendor must disclose his or her status before the application is considered by the HSAC and may not participate in discussion of or vote on the application. The member is counted in determining the existence of a quorum.
2. A vote cast in violation of this section is not counted.
3. For purpose of this section a number is deemed to have a financial business interest with a vendor or proposed vendor if the member or member's spouse or a relative of the member or spouse within the degree or consanguinity has an interest with such vendor as defined in Chapter 171 the Local Government Code.
4. Enforcement of the conflict-of-interest policy for the grant review process:
 - i. Members of the COG's governing body, the HSAC and COG staff must abstain from scoring and voting on any grant application submitted during the prioritization process if the member or an individual related to the member within the third degree by 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.
 - b. Serves on any board that oversees the unit or division that would administer the grant, if awarded.
 - 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.
 - d. Receives any funds from the applicant agency as a result of the grant, if awarded; or
 - e. Uses or receives a substantial amount of tangible goods, services, or funds from the applicant agency
 - ii. Additional conflict of interest requirement or mitigations may be required, including written disclosures and implementation of confidentiality policies and protocols.



Professional Conduct

HSAC members should maintain objectivity and professionalism when carrying out business of the HSAC. In the event an HSAC member acts in a manner which brings the work of the HSAC into question or controversy, it shall be the responsibility of the LRGVDC Board of Directors to address the incident.

Article V- Committee

Ad Hoc

1. Ad hoc committees may be appointed by the Chair with the approval of the HSAC and shall serve for special purpose to comply with special needs.
2. Membership on ad hoc committees shall be established to achieve the purpose for which the committee was created.
3. The method for calling ad hoc committee meetings shall be the same as that for calling HSAC meetings or at the discretion of the ad hoc committee membership to discharge their responsibility.
4. Chairs of the ad hoc committee shall be appointed by the Chair of the HSAC.

Article VI Amendments

By LRGVDC Board of Directors

The LRGVDC Board of Directors may amend these bylaws at a regular or special meeting. The written text of the proposed amendment will be considered.

By Homeland Security Advisory Committee

The HSAC may recommended amendments to these bylaws by a two thirds (2/3) majority vote of its membership 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. A recommendation for amendment adopted by the HSAC is not effective unless approved by the LRGVDC Board of Directors.

Effective Date

An Amendment to the bylaws takes effect when approved by the LRGVDC Board of Directors 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 12/04

Amendment to Article IV-Meetings 09/05

Amendment to Article II- Qualifications 10/05

Amendment to Article I - Name, Purpose, Responsibilities 10.7.2010

Amendment to Article II – Membership 10.7.2010 (all subcategories were revised)

Amendment to Article III – Officers 10.7.2010

Amendment to Article IV – Meetings 10.7.2010

Amendment to Article IV – Amendments 10.7.2010

Amendment to Article II – Membership 04.04.2013 (Opening paragraph and item 4)

Amendment to Article II - Terms 04.04.2013 (Item 1 and added item 4)

Amendment to Article II – Qualifications 04.04.2013 (Item 2, revised sentence 4)

Amendment to Article II - Membership 04.08.2015 (Item 5 added)

Amendment to Article II – Membership: Term 04.08.2015 (Removed Item 1)

Amendment to Article II – Membership: Qualifications 04.08.2015 (Revised Item 2)

Amendment to Article II – Membership: Attendance 04.08.2015 (Revised Item 3)

Amendment to Article IV – Meetings: Regular 04.08.2015 (Item 3 added)

Amendment to Article IV – Meetings: Conflict of Interest (Added Item 4)

Amendment to Article I, II, IV-03/07/2019

Amendment to Article I, IV-12/28/21

Amendment to Articles I-V – 08/03/2023

**Lower Rio Grande Valley Development Council
Homeland Security Advisory Committee
Policy & Procedures
FY2024-2025**



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LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL COG-21

Homeland Security Advisory Committee **Policy & Procedures for Grants** FY 2024-2025 **Table of Contents**

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THE OFFICE OF THE GOVERNOR'S HOMELAND SECURITY GRANTS DIVISION AND THE LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL (COG-21)

The Office of the Governor's (OOG) Homeland Security Grants Division (HSGD) is the entity responsible for administering and awarding a number of grant programs across the State of Texas. The grant funding assists Texas jurisdictions in building, sustaining, and delivering core capabilities to further the National Preparedness Goal which is, "A secure and resilient Nation with capabilities required across the whole community to prevent, protect against, mitigate, respond to, and recover from the threats and hazards that pose the greatest risk." The OOG has the final decision on any project, including those administered by the Lower Rio Grande Valley Development Council (LRGVDC) COG-21. The LRGVDC is one of twenty-four Councils of Government in the State of Texas and is the liaison between the OOG and local jurisdictions in the three-county region, which includes the counties of Cameron, Hidalgo, and Willacy.

POLICIES AUTHORITY

The following policies and procedures will govern the LRGVDC's Homeland Security Advisory Committee's (HSAC) application review and prioritization process for designated funding sources. In addition, these policies and procedures will govern the operation of LRGVDC's Homeland Security planning as outlined in the Interlocal Cooperation Agreement between the OOG's Homeland Security Grants Division and the LRGVDC. These policies are reviewed annually to align with local, regional and state guidelines.

HOMELAND SECURITY ADVISORY COMMITTEE (HSAC)

The HSAC was created as a voluntary unincorporated association of the LRGVDC in November 2004. The HSAC is composed of 14 member jurisdictions. The primary responsibility of the HSAC is to assist the LRGVDC in the development, implementation, review, and update of a comprehensive plan to serve the needs of the region in the event of terrorist activities, natural disaster, and man-made disasters; and to evaluate and make recommendations on grant applications submitted by jurisdictions.

The 3-county member representation for HSAC is:

Cameron – 5

Hidalgo – 7

Willacy - 2

FUNDING SOURCES

The HSAC will prioritize the following funding HSGD funding sources:

- Law Enforcement Terrorism Prevention Activities (LETPA)
- State Homeland Security Program (SHSP)

The purpose of this funding is to support state, tribal, and local preparedness activities that address high-priority preparedness gaps across all core capabilities where a nexus to terrorism exists.

GRANT ELIGIBILITY REQUIREMENTS

All applicants regardless of funding status must meet **ALL** the necessary requirements as set forth by the OOG's HSGD's Request for Funding Announcement (RFA), no exceptions.

The LRGVDC's Homeland Security staff and the HSAC shall ensure that the funding recommendations on applications are based on the following factors: the LRGVDC's THIRA (Threats and Hazards Identification and Risk Assessment) & SPR (Stakeholder Preparedness Review), the LRGVDC's Implementation Plan, regional impact, deployability, reasonableness, and cost effectiveness.



MANDATORY WORKSHOP ATTENDANCE

The LRGVDC’s Homeland Security staff shall conduct one grant application workshop for the Homeland Security Grants Division funding opportunities. Applicants are required to attend the mandatory grant application workshop. Representatives can be any of the three grant designated officials (Authorized Official, Financial Officer, or Project Director). For this grant process, a consultant or contracted grant writer cannot be the sole representative for the applying jurisdiction or agency.

ACTIVITY AREAS

Grant project applications must support one of the following activity areas for the LRGVDC COG-21 Region, in no order:

Interoperable Emergency Communications
Support of First Responder Capabilities <i>*For grant-related purposes, a Special Response Team must:</i> 1) indicate FEMA Type capability (if applicable) or if SWAT, indicate type according to the National Tactical Officers Association (NTOA) SWAT Standards 2) have some type of formal cooperation in place. i.e., MOU (Memorandum of Understanding); SOP (Standard Operating Procedures); Bylaws; or written agreement. <i>A copy must be submitted, or on file, with the LRGVDC’s Homeland Security program.</i>
Emergency Operations Centers and Technology
Planning and Community Preparedness

NATIONAL PRIORITIES AREAS

The COG will fund a minimum 30% percentage of the total regional allocation to the following areas:

Combating Domestic Violent Extremism	7.5%
Enhancing Cybersecurity	7.5%
Protection of Soft Targets/Crowded Places	5%
Intelligence and Information Sharing/Cooperation	5%
Addressing Emerging Threats	5%

RISK METHODOLOGY

A percentage of funding for each project serves as a guideline in determining the selection of grant project applications that address the needs of the LRGVDC (COG-21) Region.

ACTIVITY AREAS:	LETPA PERCENTAGE:	SHSP PERCENTAGE:
Interoperable Emergency Communications	10%	10%
Support of First Responder Capabilities	10%	10%
Emergency Operations Centers and Technology	5%	5%
Planning and Community Preparedness	NA	20%

REGIONAL IMPACT AND DEPLOYABILITY

Grant projects must have a *regional* impact to the LRGVDC COG-21 Region. Any projects / equipment funded by HSGP must be deployable. Certain exceptions may apply, for example (but not limited to) fixed assets, radio towers, repeaters, etc.



LRGVDC THIRA AND SPR

All applications for projects must be consistent with the capability targets of the current LRGVDC's THIRA (Threats and Hazards Identification and Risk Assessment) process, as well as gaps identified in the LRGVDC's SPR (Stakeholder Preparedness Report). Please contact COG staff for a copy.

LRGVDC IMPLEMENTATION PLAN

All applications for projects must be consistent with goals and objectives of the LRGVDC's Implementation Plan.

The LRGVDC's Implementation Plan supports the Texas Homeland Security Strategic Plan. It establishes priority actions with specific performance measures to be completed by milestones established in the plan. The plan is a roadmap for homeland security preparedness and identifies the resources required to implement the plan. These documents can be found on the LRGVDC's website, under the Homeland Security program section.

PROCEDURES FOR GRANT APPLICATION SUBMITTAL

All applications shall be submitted electronically via the OOG's online grant management system, e-grants: <https://egrants.gov.texas.gov/fundopp.aspx> All submission deadlines are determined by the Office of the Governor's Homeland Security Grants Division.

INELEGIBLE GRANT APPLICATIONS

Applications created on e-Grants but not certified by the Authorized Officials will not be considered valid and will be denied by the OOG's HSGD. The OOG's HSGD reserves the right to deny applications that do not meet the guidelines for LETPA or SHSP grants.

HOMELAND SECURITY ADVISORY COMMITTEE (HSAC) GRANT APPLICATION REVIEW

The HSAC will review and score project applications for the LRGVDC (COG-21) Region.

PRIORITIZATION PROCESS

HSAC members will review project applications. Members will use a review sheet to record points. The review sheet is reviewed and updated annually to align with local, regional, and state guidelines. A copy of the review sheet can be found on COG's website. Only LRGVDC's Homeland Security staff will tabulate points on review sheets.

Depending on ongoing health and safety factors, the prioritization meeting will be either online or in person. Applicants will be notified of the prioritization meeting; however, attendance is required.

CONFLICT OF INTEREST

The COG shall ensure that members of the COG's governing body, the HSAC, and COG staff abstain from scoring and voting on any grant application other than a grant application submitted by a COG, during the prioritization process if the member or an individual related to the member within the third degree by 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.
- b. Serves on any governing board that oversees the unit or division that would administer the grant, if awarded.
- 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.
- d. Receives any funds, or a substantial amount of tangible goods or routine services, from the applicant agency as a result of the grant, if awarded.



If an HSAC member has a conflict of interest regarding a grant application, the COG will ensure that the committee member abstains from voting, commenting, or otherwise influencing the prioritization process for that entity's specific project. If any applicant, HSAC member, COG personnel, or other individual, has reason to believe that favoritism or inappropriate actions occurred during the scoring or prioritization of PSO/HSGD projects, the COG shall ensure that the concerns are shared with PSO/HSGD as soon as possible.

FUNDING RECOMMENDATION GUIDELINES

The HSAC reserves the right to recommend an amount less than the requested amount based on the budget cost effectiveness, reasonableness, and/or previous grant performance under present/past funding sources.

The COG/HSAC reserves the right to deny recommendations for funding on any application based on but not limited to:

- ineligible activity not permitted under the funding source
- ineligible line item(s) not permitted under the funding source
- project does not align with regional priorities
- eligibility criteria not met by applicant

All project grant applications prioritized by the HSAC are **conditionally approved** until the OOG's HSGD gives the final approval.

RECOMMENDATIONS OF CONDITIONALLY APPROVED GRANT APPLICATION PROJECTS TO LRGVDC EXECUTIVE BOARD

The HSAC's recommended list of prioritized projects will be submitted to the LRGVDC's Board of Directors for review. The LRGVDC's Board of Directors reserves the right to endorse or disallow the HSAC's recommendations. COG staff shall notify all applicants of the approved priorities within (30) calendar days of board's approval.

*The OOG's HSGD, however, will make the final approval on all conditionally approved projects.

FINAL REVIEW BY OOG'S HOMELAND SECURITY GRANTS DIVISION

The prioritized list of conditionally approved projects recommended for funding by the LRGVDC (COG-21) will be forwarded to the OOG by COG staff. If there are discrepancies on project grant applications, the OOG's HSGD staff will contact the applicant directly. All funding decisions made by the OOG's HSGD's Executive Director are final.

APPEALS PROCESS

An applicant may appeal the actions of the HSAC based on procedural violation(s). The appeal must be submitted in writing to the LRGVDC's Board of Director's Chair within ten (10) regular business days from the date of the email notification. Please note that appeals cannot be based on areas of discretion in the HSAC's scoring criteria. Appeals made regarding an HSAC decision will be handled by the LRGVDC only.

The OOG's HSGD does not accept or provide an appeals process. If an applicant appeals a decision to the OOG's HSGD, the applicant will be requested to go back to their regional council of government for resolution.