

PLEASE NOTIFY ACOG AT 234-2264 (TDD/TTY 234-2217) BY 5:00 P.M. DECEMBER 14, 2009
IF YOU DESIRE A SIGN-LANGUAGE INTERPRETER AT THE MEETING.



association of central oklahoma governments

Chair Willa Johnson
Oklahoma County Commissioner

Vice-Chair Sam Bowman
Oklahoma City Councilmember

Secretary/Treasurer Russell Smith
Midwest City Mayor

Executive Director
John G. Johnson

AGENDA

ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS (ACOG)
BOARD OF DIRECTORS

Thursday, December 17, 2009

ACOG Board Room - 1:45 p.m.
(or immediately following the ITPC meeting)

- I. CALL TO ORDER - INTRODUCTION OF GUESTS ([ATTACHMENT I](#))
- II. APPROVAL OF MINUTES – REGULAR MEETING NOVEMBER 19, 2009 ([ATTACHMENT II](#))
- III. COMMUNICATIONS
 - A. CHAIRMAN'S REPORT
 - B. DIRECTOR'S REPORT
- IV. HEARING OF DELEGATIONS OR CITIZENS
- V. CONSENT DOCKET

INFORMATION: This item is placed on the agenda so that the Board of Directors, by unanimous consent, may designate those routine agenda items that they wish to be approved or acknowledged by one motion. If any item proposed does not meet with the approval of all Board Members, that item will be heard in regular order. Staff recommends that Items A through I in Section V be placed on the Consent Docket.

Action Requested: Motion to place Items V-A through V-I on the Consent Docket and approve or acknowledge those items, subject to any conditions included in that item.

A. FINANCE REPORT – DECEMBER CLAIMS ([ATTACHMENT V-A](#))

INFORMATION: Consideration of materials claims budgeted for the Association in the amount of \$274,921.15. These claims have been found in order by staff and proper as to form and are recommended for payment. A copy of the Claims List is included in the agenda packet.

Action Requested: Motion to accept the finance report and approve payment of the December claims against the Association.

B. REGIONAL CLEARINGHOUSE REVIEW AND COMMENT REPORT – CURRENTLY UNDER REVIEW

INFORMATION: There were no Clearinghouse letters issued this month.

Action Requested: None. For information only.

INTERMODAL TRANSPORTATION POLICY COMMITTEE REPORT

The attachments for Items V-C (1- 5) and V-D (1-3) are included in the ITPC Agenda.

*For a direct link to the ITPC agenda, please go to
<http://acogok.org/Newsroom/Downloads09/dec09itpc.pdf>.*

C. ITPC CONSENT DOCKET

INFORMATION: This item is placed on the agenda so that the Intermodal Transportation Policy Committee, by unanimous consent, may designate those routine agenda items that they wish to be approved or acknowledged by one motion. If any item proposed does not meet with the approval of all Committee members, that item will be heard in regular order. Staff recommends that Items C-1 through C-5 be placed on the Consent Docket.

Action Requested: Motion to place Items C-1 through C-5 on the Consent Docket and approve or acknowledge those items, subject to any conditions included in that item.

C. ITPC CONSENT DOCKET ITEMS:

1. UPDATED REGIONAL SNOW ROUTES

INFORMATION: Several small changes to the regional snow routes were submitted and have been incorporated into the updated map.

Action Requested: None. For information only.

2. REVISED NEPA CHECKLIST AND SEC. 404 PRE-CONSTRUCTION NOTIFICATION FORM

INFORMATION: The revised forms should be used by local governments beginning immediately.

Action Requested: None. For information only.

3. STATUS OF OCARTS AREA ARRA PROJECTS

INFORMATION: Attached is information on the status of all OCARTS area American Recovery and Reinvestment Act (ARRA) projects, as provided by the Oklahoma Department of Transportation (ODOT) Local Government Division.

Action Requested: None. For information only.

4. STATUS OF SURFACE TRANSPORTATION PROGRAM URBANIZED AREA (STP-UZA) PROJECTS IN THE OCARTS TRANSPORTATION MANAGEMENT AREA (TMA)

INFORMATION: Attached is information on the status of all OCARTS area Surface Transportation Program Urbanized Area (STP-UZA) projects, as provided by the ODOT Local Government Division.

Action Requested: None. For information only.

5. FY 2009 UNIFIED PLANNING WORK PROGRAM (UPWP) REPORTS

Action Requested: None. For information only.

This concludes the ITPC Consent Docket Items.

D. ITPC ITEMS REQUIRING INDIVIDUAL ACTION AND/OR DISCUSSION:

1. PUBLIC HEARING AND ACTION ON REQUEST FOR AMENDMENT TO THE FFY 2010-2013 TRANSPORTATION IMPROVEMENT PROGRAM BY ODOT

INFORMATION: The I-40 Crosstown Project Engineer will be available at the upcoming meeting to answer any questions of the Committee. The ITTC recommends approval.

Action Requested: Motion to amend the FFY 2010 element of the FFY 2010-2013 OCARTS Area TIP to include relocation of the existing UPRR wye track for the I-40 Crosstown relocation project, as requested by ODOT.

2. REQUEST FOR AMENDMENTS TO THE OCARTS AREA ARRA PROJECT LIST BY THE CITY OF OKLAHOMA CITY AND THE CITY OF THE VILLAGE

INFORMATION: On November 25, 2009, ACOG staff met with representatives from ODOT, Oklahoma City and The Village to develop a strategy to allocate ARRA fund balances that have resulted from significant underruns on three projects tied together in the same construction contract. The ITTC recommends approval.

Action Requested: Motion to approve the City of Oklahoma City's and the City of The Village's revised ARRA projects.

3. TRAFFIC COUNT DATABASE SYSTEM (TCDS) DEMONSTRATION

INFORMATION: ACOG recently purchased an online subscription to Midwestern Software Solutions' web-based Traffic Count Database System (TCDS).

Action Requested: None. For information only.

This concludes the Intermodal Transportation Policy Committee Report.

V. CONSENT DOCKET ITEMS (Cont.):

- E. CONTRACT EXTENSIONS – CANADIAN RIVER PROJECT [\[ATTACHMENT V-E\]](#)

INFORMATION: As part of a regional effort desired among ACOG entities discharging effluent into the Canadian River, the first phase of a regional water sampling program was initiated with the consultant C. H. GUERNSEY & COMPANY and the affected entities on the Canadian River.

Action Requested: Motion to authorize the ACOG Executive Director to negotiate and extend the contracts between ACOG and C. H. GUERNSEY & COMPANY and between ACOG and the Canadian River Project entities to June 30, 2010.

- F. REQUEST AUTHORIZATION FOR ACOG EXECUTIVE DIRECTOR TO EXECUTE SUBCONTRACT AWARD WITH U. S. DEPT. OF ENERGY CONTRACTOR FOR CLEAN CITIES PROGRAM SUPPORT [\[ATTACHMENT V-F\]](#)

INFORMATION: The U.S. Department of Energy has announced its intent to offer FFY 2010 Clean Cities Programmatic Support contracts to its designated Clean Cities program agencies and organizations.

Action Requested: Motion to authorize the ACOG Executive Director to execute a Clean Cities Programmatic Support subcontract award for FFY 2010 with National Energy Technology Laboratory and its contracted agent.

- G. CONTRACTING WITH THIRD DEGREE ADVERTISING TO SERVICE REGIONAL AIR QUALITY PUBLIC EDUCATION PROGRAM ([ATTACHMENT V-G](#))

INFORMATION: The Association of Central Oklahoma Governments (ACOG) would like to engage in a contract with Third Degree Advertising, an Oklahoma City based advertising and media agency, for a variety of professional services involved with continuing a comprehensive public education campaign for fiscal year 2010.

Action Requested: Motion to authorize the ACOG Executive Director to execute Contractor Agreement with Third Degree Advertising to service FY 2010 advertising and marketing campaigns for air quality awareness, subject to approval by legal counsel.

- H. AUTHORIZATION TO EXECUTE A RIDESHARE ADVERTISING CONTRACT WITH THIRD DEGREE ADVERTISING ([ATTACHMENT V-H](#))

INFORMATION: In order to make the region's rideshare program, GetAroundOK, well known and accessible to the general public, ACOG entered a contract with Third Degree Advertising to develop branding products and marketing strategies in 2009.

Action Requested: Motion to authorize the ACOG Executive Director to execute a contract with Third Degree Advertising to service FY 2010 advertising and marketing campaigns for the regional rideshare program.

- I. REGIONAL DIGITAL ORTHOPHOTO IMAGES PROJECT ([ATTACHMENT V-I](#))

INFORMATION: ACOG staff has been working with six local communities to develop a regional digital aerial photography project

Action Requested: None. For information only.

This concludes the Consent Docket Items.

VI. ITEMS REQUIRING INDIVIDUAL ACTION AND/OR DISCUSSION

A. MUNICIPAL SCHEDULING OF “TRICK OR TREAT” NIGHT ([ATTACHMENT VI-A](#))

INFORMATION: ACOG staff recommends that the Board consider relinquishing its role in establishing a Trick or Treat night schedule, and that the responsibility return to each individual community.

Action Requested: As desired by the Board.

B. PROPOSED REVISIONS TO POLICIES FOR PERSONNEL ADMINISTRATION ([ATTACHMENT VI-B](#))

INFORMATION: Over the past year, staff has worked on updating and formalizing the ACOG Policies for Personnel Administration manual. While the board has already adopted the bulk of the manual, staff has three recommended changes that require authorization.

Action Requested: Motion to approve addition of the following changes to the ACOG Policies for Personnel Administration:

- Add Social Networking policy language to the Equipment section;
- Replace the former Safety section with the revised Safety section;
- Replace the former “Internal Affirmative Action Plan for Equal Employment Opportunity Through the Association of Central Oklahoma Governments Management” with the “Equal Employment Opportunity Policy and Complaint Procedures” and make minor changes to other sections which reference the former policy.

C. FEDERAL LEGISLATIVE ISSUES ([ATTACHMENT VI-C](#))

INFORMATION: A draft set of federal legislative issues is attached for the Board’s consideration.

Action Requested: Approval of federal legislative issues document.

VII. NEW BUSINESS

VIII. ADJOURN

ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS BOARD OF DIRECTORS (CONT.)

CITY/ORGANIZATION	MEMBERS	ALTERNATES
MUSTANG	HON. KEITH BRYAN, COUNCILMEMBER	HON. JAY ADAMS, COUNCILMEMBER
NICHOLS HILLS	NO DESIGNEE	HON. PETER HOFFMAN, COUNCILMEMBER
NICOMA PARK	HON. JIM PUMPHREY, MAYOR	HON. CINDY WILLIAMS, COUNCILMEMBER
NOBLE	HON. GARY HAYES, MAYOR	HON. DIANNE GRAY, COUNCILMEMBER HON. TONY PARKER, COUNCILMEMBER
NORMAN	HON. CINDY ROSENTHAL, MAYOR	HON. RACHEL BUTLER, COUNCILMEMBER
OKLAHOMA CITY	HON. SAM BOWMAN, COUNCILMEMBER	HON. GARY MARRS, COUNCILMEMBER
PIEDMONT	HON. MIKE FINA, MAYOR	HON. DONNIE ROBINSON, VICE MAYOR HON. JODI LEWIS, COUNCILMEMBER
SLAUGHTERVILLE	HON. BOBBY CLEVELAND, MAYOR	HON. JERRY GARRETT, TRUSTEE
SPENCER	HON. EARNEST WARE, MAYOR	HON. MARSHA JEFFERSON, VICE MAYOR HON. ROBERT ZARING, COUNCILMEMBER
UNION CITY	NO DESIGNEE	HON. MICHAEL MCCORT, COUNCILMEMBER
THE VILLAGE	HON. SCOTT SYMES, COUNCILMEMBER	HON. DAVID BENNETT, COUNCILMEMBER
WARR ACRES	HON. DAVID DIRKSCHNEIDER, COUNCILMEMBER	HON. PATRICK WOOLLEY, MAYOR HON. DEAN JOHNSON, COUNCILMEMBER
YUKON	HON. WARD LARSON, COUNCILMEMBER	HON. BOB BRADWAY, MAYOR
CANADIAN COUNTY	NO DESIGNEE	HON. PHIL CARSON, COMMISSIONER HON. DAVID ANDERSON, COMMISSIONER
CLEVELAND COUNTY	HON. ROD CLEVELAND, COMMISSIONER	HON. RUSTY SULLIVAN, COMMISSIONER
LOGAN COUNTY	HON. MARK SHARPTON, COMMISSIONER	HON. MICHAEL PEARSON, COMMISSIONER HON. MONTY PIEARCY, COMMISSIONER
OKLAHOMA COUNTY	HON. WILLA JOHNSON, COMMISSIONER	HON. RAY VAUGHN, COMMISSIONER HON. BRIAN MAUGHAN, COMMISSIONER
TINKER AIR FORCE BASE [Associate Member]	NO DESIGNEE	

**MINUTES OF THE
ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS
BOARD OF DIRECTORS MEETING
ACOG BOARD ROOM
November 19, 2009**

The tenth meeting of the calendar year 2009 of the Association of Central Oklahoma Governments Board of Directors convened at 2:14 p.m., November 19, 2009 in the Board Room, 21 E. Main, Suite 100, Oklahoma City, Oklahoma. This meeting was held as indicated by advance notice filed with the Oklahoma County Clerk and by notice posted at the ACOG Offices, 21 E. Main, Suite 100, at least twenty-four (24) hours prior to the meeting.

PRESIDING

Vice-Chair Sam Bowman, Councilmember, Oklahoma City

BOARD MEMBERS PRESENT

Hon. Patrice Douglas, Mayor, Edmond
Hon. Russell Smith, Mayor, Midwest City
Hon. Kathy McMillan, Councilmember, Moore
Hon. Keith Bryan, Councilmember, Mustang
Hon. James Pumphrey, Mayor, Nicoma Park
Hon. Rachel Butler, Councilmember, Norman
Hon. David Dirkschneider, Councilmember, Warr Acres
Hon. Marianne Yarbrough, Trustee, Forest Park
Hon. Peter Hoffman, Councilmember, Nichols Hills
Hon. Mike Fina, Mayor, Piedmont
Hon. Dick Carter, Councilmember, Del City

BOARD MEMBERS ABSENT

Hon. Shawn Davis, Councilmember, Calumet
Hon. Roger Malone, Councilmember, Choctaw
Hon. Ken Bartlett, Councilmember, Del City
Hon. Jay Adams, Councilmember, Mustang
Hon. Bobby Cleveland, Mayor, Slaughterville
Hon. Earnest Ware, Mayor, Spencer
Hon. Ward Larson, Councilmember, Yukon
Hon. David Anderson, Commissioner, Canadian County
Hon. Rod Cleveland, Commissioner, Cleveland County
Hon. Mark Sharpton, Commissioner, Logan County
Hon. Mike Pearson, Commissioner, Logan County
Hon. Phil Shirey, Councilmember, Bethany
Hon. Matt White, Mayor, El Reno
Hon. Chuck Burtcher, Mayor, Guthrie
Hon. Gordon Jeney, Councilmember, Harrah

BOARD MEMBERS ABSENT (Cont.)

Hon. Ray Poland, Mayor, Jones City
Hon. Mark Easton, Councilmember, Lexington
Hon. Kim Bourns, Councilmember, Luther
Hon. Gary Hayes, Mayor, Noble
Hon. Scott Symes, Councilmember, The Village
Hon. Michael McCort, Councilmember, Union City

GUESTS

Linda Molsbee, Councilmember, Newcastle
Mary Murphey, Logan County Commissioners’ Office
Wayne Murphey, Logan County Commissioners’ Office
Brenda Perry, Logan County Commissioners’ Office

STAFF

John G. Johnson, Executive Director
Jane E. Sutter, Deputy Director
Debbie Cook, Finance Director
Stephen M. Willoughby, Division Director, E9-1-1 & Public Safety
Barbara Hurdman, Department Secretary
Diane McCullough, Grants Program Manager
Douglas Rex, Division Director, Transportation Planning & Data Services
John Sharp, Program Coordinator, Transportation Planning & Data Services
Jerry Church, Media and Public Relations Director
John Harrington, Division Director, Water Resources
Beverly Garner, Administrative Assistant, Transportation Planning & Data Services

I. CALL TO ORDER – INTRODUCTION OF GUESTS

Vice-Chair Sam Bowman called the meeting to order at 2:14 p.m. noting that a quorum was present. Executive Director John G. Johnson introduced the guests.

II. APPROVAL OF MINUTES – OCTOBER 29, 2009 MEETING

Director Peter Hoffman, City of Nichols Hills, made a motion to approve the minutes of the October 29, 2009 meeting. Director Keith Bryan, City of Mustang seconded the motion. The motion carried the following votes:

AYE: Douglas, Smith, McMillan, Bryan, Pumphrey, Butler, Bowman, Dirkschneider, Yarbrough, Hoffman, Fina, and Carter

NAY: None

ABSTAIN: None

III. COMMUNICATIONS

- A. CHAIRMAN'S REPORT - The Chair did not give a report.
- B. EXECUTIVE DIRECTOR'S REPORT - The Director did not give a report.

IV. HEARING OF DELEGATIONS OR CITIZENS

There were no delegations or citizens to be heard.

V. CONSENT DOCKET

Vice Chair Sam Bowman asked if there were any considerations on the items listed in the Consent Docket in the agenda packet.

There was an amendment to Item V-A amending the November claims from \$148,861.59 to \$189,797.50 to be approved as part of the November 19, 2009 claims list.

There being no other considerations on the Consent Docket, Vice Chair Sam Bowman asked for a motion to place those items on the Consent Docket and approve or acknowledge those items.

Director Peter Hoffman, Nichols Hills, made the motion to place the above items on the Consent Docket and approve those items as well as the amended claims of \$189,797.50. Director David Dirkschneider, Warr Acres, seconded the motion. The motion carried the following votes:

AYE: Douglas, Smith, McMillan, Bryan, Pumphrey, Butler, Bowman, Dirkschneider, Yarbrough, Hoffman, Fina, and Carter

NAY: None

ABSTAIN: None

VI. ITEM REQUIRING INDIVIDUAL ACTION AND /OR DISCUSSION

DRAFT STATE LEGISLATIVE ISSUES

Jane Sutter and Jerry Church talked about the Draft policy statements for the 2010 state legislative issues for Board consideration. They are in priority order according to survey results. Ms. Sutter thanked Director Butler for her suggestions and said she would take any other changes from the Board. She said that this was the state version and she would have the federal version at the next meeting.

Director Jim Pumphrey, Nicoma Park, made a motion to accept the policy statements for the 2010 Oklahoma Legislative Issues. Director Peter Hoffman, Nichols Hills, seconded the motion. The motion carried the following votes:

AYE: Douglas, Smith, McMillan, Bryan, Pumphrey, Butler, Bowman, Dirkschneider, Yarbrough, Hoffman, Fina, and Carter

NAY: None

ABSTAIN: None

VII. LEGISLATIVE CALENDAR DEADLINES

John Johnson talked about important dates for the next legislative session.

VIII. NEW BUSINESS

There was no new business.

IX. ADJOURNMENT

Director Kathy McMillan, Moore, made a motion to adjourn. Director Keith Bryan, Mustang, seconded the motion. The motion carried the following votes.

AYE: Douglas, Smith, McMillan, Bryan, Pumphrey, Butler, Bowman, Dirkschneider, Yarbrough, Hoffman, Fina, and Carter

NAY: None

ABSTAIN: None

Director Sam Bowman adjourned the meeting at 2:21 p.m.

ADOPTED THIS 17th DAY OF DECEMBER 2009.

CHAIRMAN

SECRETARY-TREASURER

**ASSOCIATION OF CENTRAL OKLAHOMA GOVERNMENTS
CASH STATUS REPORT
FOR THE MONTH ENDED NOVEMBER 30, 2009**

	<u>SWEEP/ OPERATING</u>	<u>T-BILLS / SAVINGS</u>	<u>WIRELESS 9-1-1</u>	<u>TOTAL</u>
Beginning Balance <i>November 1, 2009</i>				
Cash on Deposit	\$ 890,193.29	\$ 355,858.19	\$ 367,157.42	\$ 1,613,208.90
Petty Cash	1,400.00	-	-	1,400.00
Total Beginning Balance	<u>\$ 891,593.29</u>	<u>\$ 355,858.19</u>	<u>\$ 367,157.42</u>	<u>\$ 1,614,608.90</u>
Cash Receipts				
Grants & Contracts	\$ 574,679.45	\$ -	\$ -	\$ 574,679.45
Memberships	-	-	-	-
Transfers of Funds	-	5,382.38	-	5,382.38
Interest Earned	-	71.68	-	71.68
Wireless 9-1-1	-	-	395,327.19	395,327.19
Miscellaneous	14,639.56	-	-	14,639.56
Total Cash Receipts	<u>\$ 589,319.01</u>	<u>\$ 5,454.06</u>	<u>\$ 395,327.19</u>	<u>\$ 990,100.26</u>
Cash Available	\$ 1,480,912.30	\$ 361,312.25	\$ 762,484.61	\$ 2,604,709.16
Cash Disbursements				
Personnel Cost <i>[detail next page]</i>	\$ 206,129.92	\$ 6,717.17	\$ -	\$ 212,847.09
Travel	-	-	-	-
Transfers of Funds	5,382.38	-	-	5,382.38
Projects - REAP	73,885.57	-	-	73,885.57
Projects - UASI	49,218.29	-	-	49,218.29
General Operating Expenses <i>[detail next page]</i>	66,832.59	23.45	425,502.67	492,358.71
Total Cash Disbursements	<u>\$ 401,448.75</u>	<u>\$ 6,740.62</u>	<u>\$ 425,502.67</u>	<u>\$ 833,692.04</u>
Ending Balance <i>November 30, 2009</i>				
Cash on Deposit	\$ 1,078,063.55	\$ 354,571.63	\$ 336,981.94	\$ 1,769,617.12
Petty Cash	1,400.00	-	-	1,400.00
Total Ending Balance	<u>\$ 1,079,463.55</u>	<u>\$ 354,571.63</u>	<u>\$ 336,981.94</u>	<u>\$ 1,771,017.12</u>

**SCHEDULE OF GENERAL OPERATING EXPENSES
FOR THE MONTH ENDED NOVEMBER 30, 2009**

Personnel Cost:

Salaries	\$ 111,403.63
Payroll Taxes	52,474.71
Group Health & Life Insurance	23,636.86
Pension Contribution & Expense	12,943.68
Deferred Compensation	4,601.14
Allied Arts Contributions	91.20
United Way Contributions	978.70

Total Operating Personnel Expenditures

\$206,129.92

Section 125 Employee Benefits Paid

6,717.17

Insurance Deductible

0.00

6,717.17

Total Personnel Cost

\$212,847.09

General Operating Expenses:

Contract Personnel	16,037.50
Development	139.30
Equipment	8,285.54
Flexible Plan	155.00
Internet Service	1,289.24
Maintenance & Repair - Equipment	1,077.50
Mileage	828.80
Office Rent & Parking	14,970.33
Offsite Storage	131.60
Professional Dues	9,323.00
Projects - 2035	437.70
Public Notice / Advertising	563.83
Publications & Subscriptions	179.00
Supplies	7,513.56
Supplies - Software	1,145.00
Telephone	1,306.44
Travel	1,703.60
Xerox	1,745.65

Total General Operating Expenses

\$ 66,832.59

BE IT RESOLVED, that on this 17th day of December 2009, the following claims are approved by the Association of Central Oklahoma Governments; and the Director and Officers of this Association are directed to pay such claims.

Ace Aerial LLC <i>(Supplies)</i>	\$	80.00
American Society for Public Administration <i>(Professional Dues – 9-1-1)</i>		100.00
Andrews Davis <i>(Legal)</i>		917.50
AT&T <i>(Internet)</i>		58.44
Bricktown Venture II, LLC <i>(Office Rent)</i>		14,970.33
Brown, Ken <i>(Mileage)</i>		307.46
Canberra Industries, Inc. <i>(Projects – UASI)</i>		11,084.90
David Krueger Electric, Inc. <i>(Maintenance & Repair)</i>		346.90
Electradigital <i>(Internet)</i>		182.00
Fazekas, Daniel <i>(Mileage)</i>		21.45
Fisher Scientific <i>(Projects – UASI)</i>		19,680.96
Franklin, Nicolle <i>(Consultant)</i>		1,256.25
GRS – Gayla R Sherry Associates, Inc. <i>(Development)</i>		75.00
GeoComm, Inc <i>(Consultant – 9-1-1)</i>		6,509.00

December Claims (Cont.)

Grainger <i>(Supplies)</i>	9,013.39
Hurdman, Barbara <i>(Mileage)</i>	27.50
Johnson, John <i>(Mileage & Travel – 9-1-1 \$90.52)</i>	225.14
Kelly, Richard <i>(Projects - UASI)</i>	248.50
Koeninger, Brent <i>(Projects – UASI)</i>	248.50
Lands End <i>(Supplies – 9-1-1)</i>	16.74
Lewis, John <i>(Mileage – 9-1-1)</i>	136.40
Marshall, Paulette <i>(Mileage – 9-1-1)</i>	111.10
Mason, Scott <i>(Projects – UASI)</i>	919.50
Mott's Office Products <i>(Supplies)</i>	875.60
Oklahoma City Chamber of Commerce <i>(Professional Dues)</i>	610.00
Oklahoma City, City of <i>(UPWP Service)</i>	1,371.51
Orlando, Town of <i>(REAP ED 2009-40)</i>	5,890.00
Peak Uptime <i>(Maintenance & Repair Equipment)</i>	2,400.00
Pendergraft, Art <i>(Consultant)</i>	3,815.00
Pioneer Cellular <i>(Telephone – 9-1-1)</i>	38.29

December Claims (Cont.)

Rackspace <i>(Hosting Fee)</i>	683.85
Rex, Doug <i>(Mileage)</i>	172.70
Shred-It Oklahoma City <i>(Recycling)</i>	44.94
Smith, Kevin <i>(Projects – UASI)</i>	248.50
Smiths Detection Danbury <i>(Projects – UASI)</i>	190,000.00
T Mobile <i>(Telephone – 9-1-1)</i>	43.16
US Cellular <i>(Telephone – 9-1-1)</i>	95.48
US Postal Service <i>(Postage Meter)</i>	1,000.00
Verizon Wireless <i>(Telephone – 9-1-1)</i>	27.40
WorkflowOne <i>(Offsite storage – 9-1-1 \$4.55)</i>	131.60
Xerox <i>(Xerox)</i>	936.16
TOTAL DECEMBER CLAIMS	<u>\$ 274,921.15</u>

ATTEST:

CHAIR

ACOG

Association of Central Oklahoma Governments

21 E. Main St, Suite 100, Oklahoma City, OK 73104-2405
(405) 234-2264 Fax: (405) 234-2200 TDD: (405) 234-2217
www.acogok.org e-mail: acog@acogok.org

MEMORANDUM

DATE: December 10, 2009
TO: ACOG Board of Directors
FROM: John M. Harrington, Division Director, Water Resources
SUBJECT: Contract Extensions – Canadian River Project

INFORMATION:

As part of a regional effort desired among ACOG entities discharging effluent into the Canadian River, the first phase of a regional water sampling program was initiated with the consultant C. H. GUERNSEY & COMPANY and the affected entities on the Canadian River.

The contract designated the consultant to perform preliminary field work to better design the actual sampling and modeling program. The contracts between C. H. GUERNSEY & COMPANY and ACOG and the participating entities and ACOG can be viewed online. If you are interested in viewing these files, please contact us for instructions on how to access our FTP site.

The contracts' completion date was June 30, 2009. The consultant is still in the process of securing final approval from the Oklahoma Department of Environmental Quality (ODEQ) for the design and quality assurance project plan document. Once ODEQ approval is met, the design phase of the project will be complete.

ACTION REQUESTED:

Motion to authorize the ACOG Executive Director to negotiate and extend the contracts between ACOG and C. H. GUERNSEY & COMPANY and between ACOG and the Canadian River Project entities to June 30, 2010.

ACOG

Association of Central Oklahoma Governments

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MEMORANDUM

DATE: December 10, 2009

TO: ACOG Board of Directors

FROM: Yvonne Anderson, Clean Cities Program Manager

SUBJECT: Request Authorization for ACOG Executive Director to Execute Subcontract Award with U. S. Dept. of Energy Contractor for Clean Cities Program Support

INFORMATION:

The U.S. Department of Energy has announced its intent to offer FFY 2010 Clean Cities Programmatic Support contracts to its designated Clean Cities program agencies and organizations. Contract amounts are expected to begin at \$12,500 for base deliverables. Optional deliverables may increase contract awards to \$20,000. Contracts are expected to be let in December 2010. As in the past, project funding will be administered as a fixed price procurement through the National Energy Technology Laboratory and its contracted agent. Programmatic support contracts will be for the project period October 1, 2009 through September 30, 2010.

Base project deliverables will include:

- Conducting and completing the annual Clean Cities Coalition survey.
- Confirming existence and operation of AFV refueling sites in the coalition area and monthly reporting of station openings and closings to DOE's Alternative Fuel Data Center.
- Providing expert review and analysis of technical information and metrics related to deployment of vehicle technologies. Collecting technical data and preparing periodic vehicle, fuel use, and market pricing reports, as required.
- Submitting information related to success stories, fleet profiles, special recognition awards, and community efforts that highlight Clean Cities progress in the coalition area.

ACTION REQUESTED:

Motion to authorize the ACOG Executive Director to execute a Clean Cities Programmatic Support subcontract award for FFY 2010 with National Energy Technology Laboratory and its contracted agent.

ACOG

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MEMORANDUM

DATE: December 10, 2009

TO: ACOG Board of Directors

FROM: Jerry Church, Director of Media and Public Relations

SUBJECT: Contracting with Third Degree Advertising to Service Regional Air Quality Public Education Program

INFORMATION:

The Association of Central Oklahoma Governments (ACOG) would like to engage in a contract with Third Degree Advertising, an Oklahoma City based advertising and media agency, for a variety of professional services involved with continuing a comprehensive public education campaign for fiscal year 2010. A section in the original proposal request allows for ACOG to exercise multi-year options with the vendor, providing that funding for the program remains available. This would be the third year of a three-year option.

Agency Search Process

The Central Oklahoma Clean Air Committee initiated a comprehensive search process in December 2007 to secure an advertising agency to help provide creative products for the program. In accordance with ACOG purchasing policy, agencies within the region were sent a Request for Proposals (RFP) to declare their interest in the project and provide information that would detail their abilities to service the campaign. A selection committee, comprised of staff from ACOG, Oklahoma Department of Transportation, OGE Energy Corp., and METRO Transit, unanimously nominated Third Degree, because the company's goals and objectives best fit those of the selection committee.

Funding Information

The Federal Highway Administration (FHWA) authorized federal funding for Congestion Mitigation Air Quality (CMAQ) funds through the Oklahoma Department of Transportation (ODOT) for an air quality awareness program to be implemented in federal fiscal year 2010.

Total CMAQ and local funds currently allocated for the work program itemized below is \$100,000 (\$80,000 federal, \$20,000 local).

ACOG may also be acquiring additional funding for this program that may raise the work program's cumulative budget.

Programming

Since implementing a paid multi-media program in summer 2000, the Clean Air Campaign has garnered numerous awards, and has become one of the most recognized public education programs in the region. Surveys indicate that the program has been influential in promoting good clean air habits and that Central Oklahomans recognize the importance of clean air.

ACTION REQUESTED:

Motion to authorize the ACOG Executive Director to execute Contractor Agreement with Third Degree Advertising to service FY 2010 advertising and marketing campaigns for air quality awareness, subject to approval by legal counsel.

ACOG

Association of Central Oklahoma Governments

21 E. Main St, Suite 100, Oklahoma City, OK 73104-2405
[405] 234-2264 Fax: [405]234-2200 TDD: [405] 234-2217
www.acogok.org e-mail: acog@acogok.org

MEMORANDUM

DATE: December 10, 2009

TO: ACOG Board of Directors

FROM: Meredith Williams, Assistant Planner
Transportation Planning & Data Services

SUBJECT: Authorization to Execute a Rideshare Advertising Contract with Third Degree Advertising

INFORMATION:

In the summer of 2008, both individuals and employers expressed a strong desire for alternative modes of transportation due to the volatility of retail gasoline prices. In response, ACOG staff initiated the development of a new region-wide rideshare program.

In order to make the region's rideshare program, GetAroundOK, well known and accessible to the general public, ACOG entered a contract with Third Degree Advertising to develop branding products and marketing strategies in 2009. A section of this contract allows for ACOG to exercise multi-year options with the vendor, providing that funding for the program remains available. This would be the second year of a three-year option.

The overall project cost is not to exceed \$35,000 and will be paid for using Congestion Mitigation and Air Quality (CMAQ) funds.

ACTION REQUESTED:

Motion to authorize the ACOG Executive Director to execute a contract with Third Degree Advertising to service FY 2010 advertising and marketing campaigns for the regional rideshare program.

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MEMORANDUM

DATE: December 10, 2009

TO: ACOG Board of Directors

FROM: John Sharp, Program Coordinator
Transportation Planning & Data Services

SUBJECT: Regional Digital Orthophoto Images Project

INFORMATION:

As was mentioned at the October ACOG Board meeting, ACOG staff has been working with six local communities to develop a regional digital aerial photography project, which also includes other detailed information. At the October meeting, the Board authorized the release of an RFP for the project and for the Executive Director to execute an Intergovernmental Professional Services Contract with the City of Oklahoma City allowing ACOG to contract with the chosen vendor.

Since that meeting, the local cities and ACOG have released the RFP, received bids, conducted vendor interviews and will chose a final vendor on December 16, 2009. Contract negotiations will then be started. In order to complete this date sensitive project, local staffs will be developing a memorandum of understanding (MOU) with ACOG and/or vendor contracts that will be brought to the ACOG Board at the January Board meeting.

ACTION REQUESTED:

None. For information only.

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MEMORANDUM

DATE: December 10, 2009
TO: ACOG Board of Directors
FROM: John G. Johnson, Executive Director
SUBJECT: Municipal Scheduling of "Trick or Treat" Night

INFORMATION:

For the past 26 years, the ACOG Board of Directors has been involved in recommending a uniform Trick or Treat Night in the region for the following year's Halloween festivities. Our involvement was based on a recommendation of a past board member who expressed concern that different municipalities were hosting trick or treat activities on different nights, particularly when October 31 fell on a weekend. Since that time, the ACOG Board has considered Trick or Treat each December for the following year. With a few exceptions, the recommendation has usually been to schedule Trick or Treat activities on October 31, which is Halloween.

However, there have been occasions over the past two decades when some municipalities deviated from the board's recommendation, thus reducing the effectiveness of a "regional" approach. Since the decision ultimately rests with each city and town with deference to the wishes of their citizens, staff recommends that the Board consider relinquishing its role in establishing a Trick or Treat night schedule, and that the responsibility return to each individual community.

Should the board desire to remain in the Trick or Treat scheduling business, ACOG staff would recommend that October 31 always be designated the night to Trick or Treat, regardless of the day of the week that the 31st falls on. This keeps it consistent, and easily explained by municipal personnel, as well as ACOG staff, when citizen and media inquiries come in.

ACTION REQUESTED:

As desired by the Board.

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MEMORANDUM

DATE: December 10, 2009

TO: ACOG Board of Directors

FROM: John G. Johnson, Executive Director

SUBJECT: Proposed Revisions to Policies for Personnel Administration

INFORMATION:

Over the past year, staff has worked on updating and formalizing the ACOG Policies for Personnel Administration manual. While the board has already adopted the bulk of the manual, staff has three recommended changes that require authorization:

1. Addition of language regarding Social Networking to the Equipment section of the manual. This is a new area of concern that had not been previously addressed by ACOG.
2. Replacement of the current Safety section with an expanded Safety section which now includes instructions for emergency situations such as fire, tornado, etc.
3. In regard to the "Internal Affirmative Action Plan for Equal Employment Opportunity through the Association of Central Oklahoma Governments Management", employers who have **50 or more employees and government contracts or subcontracts (not grants) amounting to \$50,000 or more** are required to have a formal written Affirmative Action plan. Though ACOG does not have 50 employees, a formal written Affirmative Action plan has been attached to the Policies for Personnel Administration for decades. It calls for many actions which are not consistently being taken, such as:
 - Surveys of under-utilized or non-utilized skills available in the existing workforce.
 - Establishment of "skills banks" to match under-utilized employees with available job opportunities.
 - Review of agency qualification requirements to assure realism in terms of jobs to be done and of skills available in the workforce.

- Recommendations concerning job restructuring and establishment of entry level and trainee positions to facilitate movement among occupational areas.
- Development of a training and career development program.
- Place employment advertisements in newspapers which serve the largest number minority group people in the recruiting area.
- Recruit through schools and universities having substantial proportions of minority students.
- Encourage present employees to refer minority applicants.

A compliant Affirmative Action plan is a written document containing information and analyses of a federal contractor's workforce. It is comprised of four sections: the Utilization Analysis, the Workforce Analysis; the Goal and Timetables; and the Narrative. This data is used to determine what group(s) are underutilized in a given job group and to establish placement goals to address the underutilization. The plan's narrative details problem areas that may limit opportunities in all job groups at all levels of the organization, as well as the employer's commitment and efforts to remedy these inequities and remove barriers. Though the current ACOG Affirmative Action plan contains some of these elements, it is not complete.

Since ACOG is not legally required to have a written plan, it may be that it was originally intended to be a voluntary affirmative action effort. However, our current legal counsel has advised that we not have a voluntary plan, and instead replace it with the attached Equal Employment Opportunity Policy which more accurately reflects our commitment and procedures.

A clear explanation of the difference is provided in a document published by the University of Virginia:

“There is a difference between Equal Employment Opportunity and Affirmative Action. **Equal Employment Opportunity** prohibits discrimination against anyone. Its primary objective is to ensure that all applicants and employees, regardless of their protected characteristics (color, race, religion, sex, etc.) have a fair opportunity in the hiring process and in competing for promotions and have equal access to educational training and professional development opportunities.

Affirmative Action goes beyond non-discrimination. The general premise underlying affirmative action is that absent discrimination, over time an employer's workforce, generally, will reflect the gender, racial, and national origin/ethnicity profile of the labor pools from which the employer recruits and hires its employees. Affirmative Action attempts to compensate for past discriminatory practices by requiring federal contractors to engage in “good faith efforts” to expand outreach and recruitment of women, minorities, persons with disabilities and certain protected veterans, thereby making them aware of employment opportunities and providing access to be able to pursue such opportunities. “

While ACOG is absolutely committed to Equal Employment Opportunity, the current policy indicates that we will take additional actions which are not required and not always practical for the size of organization/number of staff that we are.

ACTION REQUESTED:

Motion to approve addition of the following changes to the ACOG Policies for Personnel Administration:

- Add Social Networking policy language to the Equipment section;
- Replace the former Safety section with the revised Safety section;
- Replace the former “Internal Affirmative Action Plan for Equal Employment Opportunity Through the Association of Central Oklahoma Governments Management” with the “Equal Employment Opportunity Policy and Complaint Procedures” and make minor changes to other sections which reference the former policy.

To be inserted in current equipment policy in section 2.12, after the following phrase, prior to the new section on passwords:

...such communication should not be retained.

Social Networking

Activities **during or outside of work** which might affect an employee's job performance, the performance of others, or reflect negatively on ACOG are of appropriate concern to us. The same guidelines that apply to ACOG employees in general (as found in the ACOG Policies for Personnel Administration) apply to ACOG employee activities online. This includes all forms of online publishing and discussions including blogs, wikis and social networks such as MySpace, Twitter and Facebook. As an ACOG employee, your web interaction can result in members of the public forming opinions about ACOG and its employees and members. ACOG employees are expected to refrain from publishing written comments or pictures that allude to illegal activities, sexually explicit information or photos, racial or discriminatory remarks, and defamatory or derogatory comments about coworkers, supervisors, management or ACOG as a whole.

Employees should not disclose any proprietary information of any other employee. Revealing personal information about coworkers, such as phone number or address, is prohibited. Honor the privacy rights of other employees by seeking their permission before writing about or displaying internal ACOG happenings that might be considered a breach of their privacy and confidentiality.

The use of any ACOG name, logo, trademark or other intellectual property must be approved in advance. **Postings that mention ACOG and/or our current employees, members, projects, etc., must identify that the writer is an employee of ACOG and include a disclaimer that the views expressed are the employee's alone and do not necessarily represent the views of ACOG.** Employees should not use company email addresses in personal profiles or when writing and/or posting blogs and comments. If an employee chooses to list ACOG as his/her employer on a social network, the employee should regard all communication on that network as he/she would in a professional network.

Employees should immediately report any incident that appears to violate this policy to their supervisor, or to their Division Director if the supervisor is involved in the violation. Employees who violate this policy will be subject to disciplinary measures up to and including termination.

SAFETY

ACOG attempts to provide a safe and healthy work environment that complies with the federal and state safety requirements and best practices. Employees must participate in the process by being aware of their surroundings and working in a safe manner. No employee will knowingly be required to work in unsafe conditions. Employees should report any unsafe situation or equipment to their supervisor immediately.

GENERAL SAFETY RULES

- **Sign out on TAP if you are leaving the building so in case of fire or other emergency others will know you do not need rescuing.**
- Clean and orderly work areas are fundamental to accident and fire prevention.
- Report any unsafe conditions such as loose floor tiles, railing, icy conditions, worn electrical cords or electrical shorts in machines, improper lighting, etc.
- Smoking is prohibited in all areas of the building.
- All exits and hallways should be clear and free from obstruction.
- Never lift objects which are too heavy for safe handling. Get help or divide the load.
- When lifting heavy objects keep your head up, back straight and bend at the knees, lifting with your legs.
- Hand trucks or carts should be used to move heavy objects when possible.
- Only ladders or self-locking step stools are to be used for access to high shelves or files. Never climb on chairs, boxes or file cabinets.

IMPORTANT LOCATIONS

- A first aid kit is located on top of the file cabinet outside of the boardroom.
- An automatic defibrillator is located across the hall from the west boardroom doors.
- **Fire Alarm pull stations are located:**
 - by the back doors to the garage (main office and annex)
 - outside the front door of the office near the front door of the building.
- **Fire Extinguishers are located:**
 - by the back door to the garage (main office)
 - in the center hall in the annex
 - in the north hall of the main office
 - in the hall outside the boardroom
 - outside Jane's office
 - in the outer hall by the bathrooms.

Make sure you know the location of the nearest fire extinguisher. Report missing, discharged, or damaged fire extinguishers to the Safety Coordinators as soon as possible. If you use a fire extinguisher, do not return it to its cabinet or bracket. Report the use of the extinguisher immediately to the Safety Coordinators to have it replaced. Only individuals trained in using fire extinguishers should use them.

EMERGENCY PROCEDURES

***Note – Division Directors should identify in advance any employee who may have a physical difficulty with carrying out any of these procedures and have a plan for assisting them.**

Fire

If you discover a fire, an explosion, or smoke in a building, activate the fire alarm system immediately at the nearest fire alarm pull to evacuate the building. After sounding the fire alarm, call 9-1-1 from a safe location. Do not assume that someone else has called. If the fire is in an unoccupied room, if it is safe to do so, try to close the door to retard the spread of smoke and heat. **Do not** take any unnecessary risks in doing this. Only if the fire is small and you have received training in fire extinguisher operation should you attempt to extinguish the fire.

Evacuation Procedures

Primary Exit – South Door

Secondary Exit – East Door

Meet Point – Across Main Street to the south side of the building

- In the event of a fire one of two alarms should sound. The fire alarm is a loud short honking sound. The smoke alarm is a high pitched squeal. In either case employees and guests should follow the evacuation plan.
- If you are an Administrative Assistant and you have the TAP open on your computer, print it out if you can do it safely and very quickly.
- Stay calm. Walk, do not run, to the nearest exit (above). Close doors as you leave.
- Do not use the back doors located next to the copier (into the hall) or in the boardroom. Do not use the exits to the garage as emergency exits. Do not go into the garage to attempt to retrieve your vehicle.
- If your evacuation route is filled with smoke, break out a window (if available) for escape.
- Do not open any door that is hot to the touch, has smoke coming under it, or smoke can be seen on the other side through a window.
- If the fire alarm stops, continue the evacuation and warn others who may attempt to enter the building.
- Leave the building and move away from it, keeping walks and drives open for arriving firefighters. Proceed to the meeting point across Main Street to the south side of the building. Do not leave this location as the Safety Coordinators will be attempting to account for all persons who were in the office.
- Once you have evacuated the building, DO NOT return for your coat, purse, personal belongings, etc.
- Always follow the orders of the fire and police departments.

Clothing Fires

If your clothing is on fire, do not run. The universal instruction is **stop, drop, and roll**. Immediately drop to the floor and roll repeatedly to extinguish the flames, holding your hands over your face to protect it from flames.

Tornadoes and Severe Thunderstorms

A weather radio is located at the receptionist desk. In the event of a severe weather the receptionist will notify the Safety Coordinators. The Safety Coordinators will monitor the situation and in the event of a tornado warning an announcement will be made over the public address system. Employees will be instructed to proceed to the building basement or restrooms. Employees and guests should not leave the building.

Special Duties:

Receptionist: Responsible for notifying the Safety Coordinators of severe weather warnings and assisting the Safety Coordinators in monitoring weather conditions.

Safety Coordinators: Responsible for monitoring severe weather situations, keeping staff and guests advised, and activating the plan above in the event of severe weather. When shelter is sought in the basement, are responsible for securing doors and windows to assist in preventing injury. Will attempt to account for all persons in the office. Will monitor the weather via television, radio and weather radio advise personnel when severe weather has cleared.

Terrorist Threat or Event

In the event of a terrorist threat or event in the vicinity, all outside doors will be locked by the Safety Coordinators. The Safety Coordinators will designate personnel to oversee doors to ensure they remain secure. Employees should not leave the building until/unless otherwise directed by the Safety Coordinators, Executive Director or Deputy Director.

Special Duties:

Safety Coordinators: Ensure outside doors are secure. Shut down the air-handling units via breakers in the basement.

Bomb Threat

Take any bomb threat seriously, call 9-1-1 and report to police immediately, and then inform a Division Director, the Deputy Director or the Executive Director. Police will determine what corrective action to take. If you receive a written bomb threat, do not handle it any more than necessary. Place it in an envelope to preserve possible fingerprints. If you receive a telephoned threat, note the exact time of the call and attempt to write down the exact words of the caller. Ask the caller to repeat information. Get as much information as possible by asking when the bomb is set to explode, what kind of bomb it is, where it is located, and what it looks like. If possible, signal another person and write a note explaining the call is a bomb threat. The other person can then alert the police.

Special Duties:

Safety Coordinators: Determine if evacuation is safe or necessary to due information provided.

Suspicious Persons

If you see suspicious persons in the building or in the parking garage or parking lot, report them to a Division Director, the Deputy Director or the Executive Director. You should provide a complete description of the person, what he or she was doing, his or her last known location, and his or her direction of travel (if known).

Weapons

ACOG prohibits the presence of firearms, explosives, or other weapons on its premises or while on any work related activity. This policy applies to every employee of the company, even if the employee is licensed by the state or other governmental authority to carry a concealed weapon. For purposes of this policy, the term “premises” includes ACOG offices, work locations, designated parking areas, desks, or vehicles engaged in ACOG business, and any personal belongings on or in any of the above. ACOG asks each employee to voluntarily comply with this policy for his or her own safety and for the safety of others.

Violence

ACOG has a “zero tolerance” policy for violence in the workplace. Employees who engage in any violent behavior or threaten violence in the workplace will be subject to disciplinary measures up to and including termination. Violent behavior includes but is not limited to physically harming another, shoving, pushing, harassing, intimidating, coercing, brandishing weapons, and threatening or talking of engaging in those activities.

Employees should immediately report any incident that appears to violate this policy to their supervisor or the Executive Director. Incidents will be investigated, and retaliation against employees who report such incidents will not be tolerated.

Life-Threatening Injuries and Illnesses

Life-threatening conditions include severe chest pains, gunshot wounds, severe burns, hemorrhaging, severe head injuries, and open (compound) fractures, among others. In the event of a life-threatening medical situation, call 9-1-1. Do not attempt to move the patient unless he/she appears to be in danger. Follow instructions given by the dispatcher regarding treatment of the patient until paramedics arrive. Fire department paramedics will respond for treatment and transportation to a hospital emergency room.

Bloodborne Pathogens

Bloodborne pathogens include HIV, Hepatitis B virus, and Hepatitis C virus. Exposure can occur via a percutaneous injury, such as a needle stick or cut with a sharp object, or by contact of mucous membranes or nonintact skin with blood, tissue, or body fluids that are contaminated with visible blood. Observing universal precautions is the single best strategy to reduce the risk of exposure to bloodborne pathogens. This involves treating all human blood and potentially infectious human material as if it were known to be infectious. **Disposable gloves should be used by first aid providers where blood or body fluids of any kind may come in contact with the first aid provider. Disposable gloves are located in the first aid kit on top of the file cabinet outside of the board room.** Once first aid is completed and as soon as possible after removing disposable gloves, first aid provider should thoroughly wash and disinfect hands. All surfaces should be cleaned and decontaminated after contact with blood or body fluids. A 10% bleach and water solution should be used for decontamination. If contamination of the eyes, mouth or a puncture in the skin has occurred, report the exposure incident immediately to your supervisor and the Finance Department.

EMPLOYMENT POLICIES AND COMPLAINT PROCEDURES

EQUAL EMPLOYMENT OPPORTUNITY POLICY

ACOG recognizes and supports the policy of equal employment opportunity and provides all applicants and employees with equal opportunity without regard to race, color, religion, sex including pregnancy, childbirth or related medical conditions, sexual orientation, national origin, age, marital or veteran status, political affiliation, physical disability, medical condition, genetic information, or any other legally protected status.

This equal employment and nondiscrimination policy applies to all areas of employment, including recruiting, hiring, training, promotion, compensation, benefits and transfers. The spirit and intent of this policy are implemented throughout ACOG in all personnel concerns, and related decisions are based solely on the individual's qualifications, merit and performance. ACOG requires every employee to conscientiously follow this policy and to treat their co-workers with respect and acceptance. ACOG also requires any subcontractors to follow the same commitment to equal employment opportunity.

Racial, sexual, age-related, disability-related, ethnic slurs and insults, and slurs and insults related to any other legally protected status are inappropriate and violate ACOG's equal opportunity policy. Certain types of conduct which might be intended to be inoffensive social exchanges might be perceived as offensive. Employees should be aware that certain conduct holds the potential for supporting claims of discrimination or harassment even though no offense was intended. For further information regarding the types of conduct which constitute impermissible harassment and ACOG's internal procedures for addressing harassment complaints, please refer to ACOG's policy against harassment, set forth below.

Any incident of discrimination shall be reported promptly to the employee's supervisor, Division Director, any member of ACOG's EEO Committee or the Executive Director as set forth in the Complaint and Investigation Procedure policy, set forth below.

As more thoroughly described in the Complaint and Investigation Procedure, ACOG will investigate every reported complaint of discrimination thoroughly, promptly, and in a confidential manner. ACOG will not tolerate any form of discipline or retaliation against any employee for cooperating in an investigation or for making a bona fide complaint. ACOG shall make every reasonable effort to protect the privacy of the employee and the alleged harasser in the investigation and resolution process, but cannot guarantee such privacy.

If discrimination is established, appropriate disciplinary action will be taken, up to and including termination from employment. Disciplinary action for a violation of this policy is within the sole discretion of the Executive Director, based on recommendations from the EEO Committee.

POLICY AGAINST HARASSMENT

ACOG is committed to providing a workplace free of sexual harassment (which includes harassment based on gender, pregnancy, and childbirth or related medical conditions), as well as harassment based on race, color, religion, sexual orientation, national origin, age, marital or veteran status, political affiliation, physical disability medical condition, genetic condition, family-care status or any other basis protected by federal, state or local law. ACOG strongly disapproves of and will not tolerate harassment of its employees, nor will it tolerate false accusations of such harassment. Similarly, ACOG will not tolerate harassment by its employees of non-employees with whom ACOG employees have a business, service or professional relationship.

"Harassment" includes verbal, physical and visual conduct that creates an intimidating, offensive or hostile working environment or that interferes with work performance. Such conduct constitutes harassment when (1) submission to the conduct is made either an explicit or implicit condition of employment; (2) submission to or rejection of the conduct is used as the basis for an employment decision; or (3) the harassment interferes with an employee's work performance or creates an intimidating, hostile or offensive work environment.

Harassing conduct can take many forms and includes, but is not limited to: slurs, jokes, statements, gestures, assault, impeding or blocking another's movement, or otherwise physically interfering with normal work, pictures, drawings or cartoons based upon sex, race, color, national origin, religion, age, physical disability, mental disability, medical condition, genetic condition, ancestry, marital status, sexual orientation, family-care or medical-leave status, or veteran status.

"Sexual harassment" refers to behavior of a sexual nature which is unwelcome and personally offensive to the recipient. Sexual harassment is illegal, and it is strictly against ACOG's policy for any employee to harass another employee by making or subjecting any person to unwelcome sexual advances, unwelcome requests for sexual favors, or to engage in any unwelcome verbal or physical conduct of a sexual nature. Sexually harassing conduct in particular includes all of the prohibited actions stated above, as well as other unwelcome conduct such as requests for sexual favors, conversation (including e-mails, instant messages, text messages or blogs) containing sexual comments and unwelcome sexual advances.

Actions of a sexual nature constitute "sexual harassment" when:

1. submission to such conduct is made explicitly or implicitly a condition of an individual's employment;
2. submission to or rejection of such conduct is used as a basis for an employment decision affecting the employee; or
3. the harassment has the purpose or effect of unreasonably interfering with the employee's work performance or creating an environment which is intimidating, offensive, or hostile to the employee.

Any incident of harassment shall be reported promptly to the employee's supervisor, Division Director, any member of ACOG's EEO Committee or the Executive Director as set forth in the Complaint and Investigation Procedure policy, set forth below.

As more thoroughly described in the Complaint and Investigation Procedure, ACOG will investigate every reported complaint of harassment thoroughly, promptly, and in a confidential manner. ACOG will not

tolerate any form of discipline or retaliation against any employee for cooperating in an investigation or for making a bona fide complaint. ACOG shall make every reasonable effort to protect the privacy of the employee and the alleged harasser in the investigation and resolution process, but cannot guarantee such privacy.

If harassment is established, appropriate disciplinary action will be taken, up to and including termination from employment. Disciplinary action for a violation of this policy is within the sole discretion of the Executive Director, based on recommendations from the EEO Committee.

COMPLAINT AND INVESTIGATION PROCEDURE

If an employee feels that he/she has been discriminated against or harassed on the basis of race, color, religion, sex, sexual orientation, national origin, age, marital or veteran status, political affiliation, physical disability, medical condition, genetic information or any other legally protected status, such incident shall be reported promptly to the employee's supervisor, Division Director, any member of ACOG's EEO Committee or the Executive Director. Anyone who receives a complaint or who observes discriminatory or harassing conduct shall inform his/her supervisor, a Division Director, any member of ACOG's EEO Committee or the Executive Director immediately.

An employee is not required to complain or report first to his/her supervisor if the supervisor is the individual who is harassing the employee or if the employee is otherwise uncomfortable reporting a complaint to his/her supervisor. In reporting allegations of discrimination or harassment, employees have several options:

1. Informal Complaint and Investigation Process

The employee may request, if desired, an informal meeting with his/her Division Director (or the Deputy Director or Executive Director if the Division Director is involved in the complaint) to make a complaint of discriminatory or harassing conduct. The purpose of the meeting with the Division Director is to attempt to resolve the problem without going through the process of formal complaint. The Division Director must promptly and thoroughly investigate the complaint, but not later than fifteen (15) days of receiving the complaint.

Employees filing a complaint or assisting others with any investigation will not be retaliated against or subject to adverse employment action because of the complaint or their related statements. During the course of the complaint, the employee, his/her representative, and witnesses will be free from any restraint, interference, coercion, discrimination, or reprisal. Be advised that false accusations of harassment or other unlawful behavior may constitute misconduct for which disciplinary action may be imposed.

If the complaint is resolved to the mutual satisfaction of the employee and the Division Director through the informal complaint and investigation process, no further action will be required and the case will be considered "closed".

2. Formal Complaint and Investigation Process

If the employee chooses to bypass the informal complaint process or the complaint cannot be resolved through the informal process, then the employee shall make a formal complaint to the EEO Committee (described below). Formal complaints must be made promptly from the date the alleged discrimination occurred.

Components of a formal complaint must include:

- A detailed description of the issues, including the names and job titles of those individuals perceived as parties in the discrimination or harassment;
- The time(s) and date(s) of the alleged discrimination or harassment;
- Names and contact information of witnesses; and,
- Any other information relevant to the complaint.

The EEO Committee will promptly and thoroughly investigate the complaint, but no later than fifteen (15) days of receiving the complaint. Investigations will be kept confidential to the extent it is possible while allowing the complaint to be investigated, and violators will be subject to appropriate disciplinary action or other corrective action as allowed by applicable law.

Employees filing a complaint, testifying, or assisting others with testimony will not be retaliated against or subject to adverse employment action because of the complaint or their related statements. During the course of the complaint, the employee, his/her representative, and witnesses will be free from any restraint, interference, coercion, discrimination, or reprisal. Be advised that false accusations of harassment or other unlawful behavior may constitute misconduct for which disciplinary action may be imposed.

The EEO Committee will investigate the specific matters complained by the employee but may also investigate general patterns or practices of discrimination, which may be unrelated to any specific complaint. The EEO Committee has the right to make any reasonable inquiry it feels necessary in resolving the matter. This may include contacting the Supervisor, Division Director, Deputy Director, Executive Director, other employees, or review of records of the organization.

EEO COMMITTEE'S INVESTIGATION PROCEDURE

The EEO Committee will promptly and thoroughly investigate all complaints. In investigating complaints, the EEO Committee will:

1. Conduct a private interview with the employee;
2. Notify the person(s) named in the complaint (respondent), informing them of the charges and giving them an opportunity to respond;
3. Interview witnesses, collect documentation, seek any additional information necessary;
4. Inform the employee in writing of the findings of the investigation within 15 calendar days of the close of the investigation;
5. Recommend to the Executive Director appropriate disciplinary action against the respondent if the complaint is found to be valid; and
6. Keep the records of the investigation in a confidential file separate from the employee files of all involved.

If the employee is not satisfied with the outcome of the investigation, he/she may take his/her complaint before the Board of Directors in Executive Session. It will be the responsibility of the Executive Director to furnish each member of the Board of Directors at least seven (7) days prior to the meeting with written statements by the employee and by all officials concerned with the matter. The decision of the Board of Directors will be final.

COMPOSITION OF EQUAL EMPLOYMENT OPPORTUNITY COMMITTEE

The Executive Director of ACOG has appointed a chairman and members of an Equal Employment Opportunity Committee (EEO Committee). This committee will be composed of three staff members including the chairman and a secretary. In any case where a complaint is brought against a committee member, the Executive Director will appoint an alternate. Any member of the committee will disassociate himself/herself from the committee and request that the Executive Director appoint an alternate in cases where the member feels that he/she is biased in judgment of the case. The committee will meet at the direction of the Executive Director.

In addition to investigating formal complaints, the EEO Committee will evaluate from time to time the sufficiency of the total agency with recommendations as to any improvement or correction needed, including remedial or disciplinary action with respect to managerial or supervisory employees who have failed in their equal employment opportunity responsibilities.

RESPONSIBILITY OF DIVISION DIRECTORS AND SUPERVISORS

Each Supervisor is responsible for ensuring that equal employment opportunity principles guide his/her relationship with his/her employees in all matters of hiring, promotion, career development, and training opportunities within his/her jurisdiction. It is also their responsibility to provide leadership in establishing an atmosphere which will provide for full equal employment opportunity, including the communication of relevant information. Any Supervisor or Division Director who receives a complaint or who observes discriminatory or harassing conduct shall promptly notify the Executive Director or any member of the EEO Committee immediately.

ACOG

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MEMORANDUM

DATE: December 10, 2009
TO: ACOG Board of Directors
FROM: Jane Sutter, Deputy Director
SUBJECT: Federal Legislative Issues

INFORMATION:

Attached is a draft set of federal legislative issues for the Board's consideration. Like the pattern established with the state issues last month, we have taken a more concise, direct approach. The issues are ordered in priority established by the members' survey responses.

Historically, the ACOG officers have delivered the policy documents to the Oklahoma Congressional delegation in the winter or spring of each year. In recognition of the current reduced revenue situation of most of the ACOG members, however, we may want to consider scheduling local appointments with members of our delegation and staffs when they are in Oklahoma rather than sending a contingent to Washington, D.C. At any rate, the document will be distributed to all the offices.

They will be published in the same design as the state document as demonstrated at the November board meeting.

ACTION REQUESTED:

Approval of federal legislative issues document.

FEDERAL LEGISLATIVE ISSUES—DRAFT

Federal Investment in Healthy Communities

The hometowns in your district are where your constituents live and come together as neighbors to build community. They expect and deserve local services including public safety, clean water, waste disposal, safe streets and much more. As their local elected officials, we are committed to meeting their expectations, but cannot do it alone, particularly when we are regularly handed expensive mandates from the federal level.

We applaud recent federal movement toward supporting a more comprehensive approach to community planning and asset development as outlined in proposed Livable Communities legislation. This program would include comprehensive planning grants that could create long-term regional plans integrating transportation, housing, land use and economic development. We encourage our Congressional delegation to support full funding of that initiative as well as existing portfolio of federal community and economic development programs including the U.S. Economic Development Administration, Housing and Urban Development's Community Development Block Grant Program, public safety initiatives and water/wastewater infrastructure programs.

Requested actions: (1) Support Livable Communities legislation and funding; (2) Continue to support EDA, HUD, Homeland Security and Water/Wastewater infrastructure programs.

Maintain Viability of TAFB

With nearly 28,000 employees, Tinker Air Force Base (TAFB) is the state's largest employer and most significant component of Central Oklahoma's economy. As local governments flanking the base, we can and do facilitate efforts to meet the military's local needs, but recognize that decisions affecting its true prosperity lie in your hands. Maintaining Tinker's viability is always a top priority for the ACOG members.

Requested actions: (1) Keep informed of base closure and realignment efforts and needed federal and local responses. (2) Support Tinker's efforts to modernize equipment and processes.

Mandates/Preemption Can Hamstring Local Efforts

Two major concerns of ACOG officials are (1) rampant federal mandates, and (2) growing federal preemption of responsibilities. Please seriously consider the effect that executing mandates has on a city's abilities to manage its own resources. We believe it is unfair for Congress and federal agencies to initiate laws, rules or regulations that will burden local governments with new costs without providing requisite funding (such as in the recent examples of air quality, stormwater, water quality, flood control, etc.).

Similarly, the federal system is undermined by Congress blurring the boundaries of municipal responsibility with respect to making fundamental land use and employment decisions. Zoning and land use issues should be dealt with at the local level, as should the retention of municipal franchising authority. There are labor protections provided by state laws and local labor agreements, so federal preemption in the area of labor issues is unwarranted as well. Specifically, the ACOG membership opposes any effort to federally impose collective bargaining or to require additional health care coverage.

Requested actions: (1) Fight temptation to add mandates without adequate funding; and (2) resist efforts to compromise local authority by regulating such local issues as zoning, land use, franchise authority and personnel management.

Transportation Reauthorization and Transit Critical

The Highway Trust Fund is in trouble, and reauthorization of surface transportation legislation continues to be delayed. While federal stimulus money moved many surface transportation projects forward quickly, recent rescissions and short-term continuing resolutions have postponed others. Additionally, there is the need to develop a robust transit system to fill the prominent void of viable transportation choices in Central Oklahoma.

As transportation issues make it to the top of the stack of bills, please keep in mind the critical nature of surface transportation and transit funding in the ACOG region. We appreciate your support of a new I-40 Crosstown realignment project, and look forward to its 2012 ribbon cutting.

As reauthorization of the federal surface transportation program is considered, it is vital that Oklahoma's delegation try to avoid the donor situation Oklahoma was in for years. We also encourage increasing decision-making authority at the local and regional levels as it promotes greater flexibility and simplicity in programs and processes. To avoid the loss of a portion of Central Oklahoma's federal formula funds, the new authorization bill will need to include language to incorporate the City of Norman into the Oklahoma City Urbanized Area, fixing an inadvertent result of revised criteria for determining urban and rural territories after the 2000 Census. The situation was corrected in SAFETEA-LU legislation and needs to be included in the reauthorization language as well.

Finally, we encourage the delegation's support of local, state and federal efforts to move forward on recommendations of a Fixed Guideway System Plan that recommends long-term improvements in transit services including 789 miles of enhanced bus service, 40 miles of bus rapid transit, 42 miles of commuter rail transit and five miles of modern streetcar. Anything Congress can do to promote railroad company cooperation with the state and municipalities would be helpful as well.

Requested actions: (1) Approve surface transportation reauthorization that addresses the inadequacy of the Highway Trust Fund, includes equity funding for Oklahoma, increases flexibility and simplicity and includes Norman as part of the Oklahoma City Urbanized Area, and (2) Support building out a robust transit system for Central Oklahoma residents and visitors.

9-1-1 on Life Support

There is more advanced technology in the cell phone in an average teenager's jeans pocket than there is in most 9-1-1 centers in the country. While public safety agencies throughout the nation, including those in Central Oklahoma, have worked diligently to keep their 9-1-1 systems equipped with the latest technology, the marketplace has outpaced public safety technology and financing. The public relies on 9-1-1 systems in emergencies and assumes that when they make a call—or send a text message—that emergency responders on the other end have at least equal capabilities.

As managers of this region's 9-1-1 system, your ACOG partners very much appreciate recent federal appropriations to help 9-1-1 centers throughout the country upgrade their technologies. There is still much to be done, however, to fully incorporate next generation 9-1-1, and the challenge will continue as new technologies rapidly arrive on the scene. Continuation of the recently created federal 9-1-1 office is vital in a national approach these challenges, and efforts by the Federal Communication Commission related to provision of broadband services are also paramount.

Requested actions: (1) Continued funding of the federal 9-1-1 office and grants to local 9-1-1 system providers; and (2) Ensure that FCC consideration of a national broadband plan makes public safety networks a priority.

Water and Wastewater Concerns

Life on this planet depends on water. Economic development cannot occur without its availability. Yet, continued provision of clean water in this country has been woefully neglected. While the federal government has created a proliferation of mandates on states and localities, it has been less involved in providing the funding to meet these national objectives and the research science necessary for ensuring that money is spent most effectively.

There are several water and wastewater related bills currently being considered by Congress including S1005, the Water Infrastructure Financing Act, as passed out of the Senate Environment and Public Works Committee, which would authorize \$39 billion over five years for drinking water, wastewater and stormwater infrastructure needs. We are supportive of this legislation, particularly if it includes funding for Section 208 water quality planning. HR 1262, Water Quality Investment Act, is the companion measure that has passed out of the House.

Actions requested: Support for Water/Wastewater planning and appropriations.

Air Quality Matters

The ACOG region has managed to escape the black eye of air quality non-attainment once again! However, after successfully making the mark following the tightening of the ozone standard to .075 in the spring of 2008, it is expected that the standard is to become even more stringent once again this winter, putting most cities in the country at risk of getting on the dirty air list. While the air in Central Oklahoma continues to get cleaner each year, the odds of our becoming a non-attainment region continue to go up. A paradox, indeed.

The air quality situation must be addressed at the national level. We believe that tightening of the standards must be accompanied by simultaneous strengthening of national measures. It simply is not in the available toolkit at the local level to efficiently affect changes necessary to keep up with the rapid lowering of the bar. We encourage a national policy which coordinates the policies of all federal agencies to avoid conflicting regulations, such as imposing stricter air quality standards while simultaneously cutting funding for mass transit.

We would like to see federal support for local government efforts that include partnering on a regional scale, and offers credit for voluntary reductions in air pollution. We support a streamlined air quality control strategy that establishes an integrated approach for regulating emissions from all electric power plants and petroleum production facilities and encourages and credits to companies for early compliance. Similarly, federal efforts to control mobile source emissions need to remain firm, and possibly extend to currently exempt sources such as airplanes and trains.

Tax credits and grants to local governments to support efforts to retrofit vehicle fleets are also beneficial and should be continued or expanded. Research is also important to develop new and improved technology that can help the country meet its air quality objectives.

Requested actions: (1) Ensure that actions of federal agencies are not counterproductive to environmental goals, (2) Resist more stringent standards without accompanying funding, (2) Address plant emissions and vehicle emissions at the national level, and (3) continue incentives for fleet conversions to cleaner burning fuels and/or electric vehicles.

Enact Simplified Sales Tax/Zip Code Equity

The state of Oklahoma and its municipalities rely more heavily on sales taxes to fund their operations than our counterparts in many other states. That is why we need your leadership in taking action to require that online and catalog retailers participate fully in collecting sales taxes on good purchased through their mediums. The federal Streamline Sales and Use Tax Agreement created a means to expedite these transactions, and the state of Oklahoma and others have participated fully in making their laws and regulations consistent so as to ease the burden of Internet and Catalog retailers in collecting and remitting these taxes. Congressional action is still necessary, however, to require all retailers to participate.

In a related matter, one of the advantages of work done by states participating in the Streamlined Sales Tax initiative, is that zip-plus-four designations have been used to better pinpoint the location of the customer and attribute sales taxes to the appropriate jurisdiction. Since many communities do not have their own zip codes, sales taxes have often been misdirected to their adjacent communities that do. We would like to see the U.S. Post Office require zip-plus-four usage on all business transactions to ensure tax attribution to the correct community.

Actions requested: (1) Support for Congressional approval of the Simplified Sales and Use Tax Act, and (2) Direct the U.S. Postal Service to establish a system for specific identification of the correct community in mailing addresses, utilizing zip-plus-four.