

Region 2 Lower Red-Sulphur-Cypress Regional Flood Planning Group

March 4, 2021

2:00 pm

Via teleconference/webinar

Use the following information to register for the meeting:

<https://zoom.us/meeting/register/tJEkf-CorzgoE9FqFRaHzmys09UII5iNpVkN>

After registering, you will receive a confirmation email containing information about joining the meeting.

If you experience issues while registering or do not have access to a computer, please contact Paul Prange no less than two (2) workdays prior to the meeting at 903.255.3519 or pprange@atcog.org.

Agenda:

1. Call to Order
2. Welcome
3. Confirmation of attendees / determination of quorum
4. Public comments – limit 3 minutes per person
5. TWDB Update

Action Items

6. Consider approval of minutes for the meeting held Thursday, February 4, 2021. (p3)
7. Discuss and Consider nominations for election of Region 2 RFPG Officers to include Chair, Vice Chair, Secretary, Executive Committee (p8)
 - a) Nominations for Chair by members
 - b) Discussion and consideration of election of Chair
 - c) Nominations for Vice Chair by members
 - d) Discussion and consideration of election of Vice Chair
 - e) Nominations for Secretary by members
 - f) Discussion and consideration of election of Secretary
 - g) Nomination for additional Executive Committee members (2 voting members-at-large)
 - h) Discussion and consideration of election of Executive Committee members
8. Discuss and Consider designating a non-voting member liaison to the Region 1 Canadian-Upper Red RFPG required per §361.11(f)(8) of the Texas Administrative Code. (p9)
9. Discuss and Consider appointment process of alternates for voting members of the Region 2 RFPG. (p10)
10. Discuss and consider appointment and review process of selection committee for the Technical Consultant RFQ due March 12, 2021. (p11)

Other Business

11. Update from Planning Group Sponsor
 - a) ATCOG/TWDB Group Sponsor Contract
 - b) Contact with the Army Corp of Engineers for appointment to new, non-voting member position
 - c) Update on Flood Planning Group Members Public Information Act and Open Meetings Certification
12. Consider date and agenda items for next meeting
13. Adjourn

If you wish to provide written comments prior to or after the meeting, please email your comments to pprange@atcog.org and include "Region 2 RFPG Meeting" in the subject line of the email – OR – you may mail your comments to Region 2 RFPG, c/o ATCOG – Paul Prange, 4808 Elizabeth St, Texarkana, TX 75503.

If you wish to provide oral public comments at the meeting, please submit a request via email to pprange@atcog.org, include "Region 2 RFPG Meeting Public Comment Request" at least 2 hours prior to the meeting, and follow the registration instructions at top of page 1 of the Agenda.

Additional information may be obtained from: www.texasfloodregion2.org, or by contacting Paul Prange at pprange@atcog.org, 903-832-8636, -or- Region 2 RFPG, c/o ATCOG, 4808 Elizabeth St, Texarkana, TX 75503

All meeting agendas and notices will be posted on our website at www.texasfloodregion2.org. If you wish to be notified electronically of RFPG activities, please submit a request to pprange@atcog.org, include "Request for notification of Region 2 RFPG activities". This request will be honored via email only unless reasonable accommodations are needed.

Meeting Minutes
Region 2 Lower Red-Sulphur-Cypress Flood Planning Group Meeting
February 4, 2021
2:00 PM
Via Zoom Webinar/Teleconference

Roll Call:

<u>Voting Member</u>	<u>Interest Category</u>	<u>Present (x) /Absent () / Alternate Present (*)</u>
Preston Ingram (William)	Agricultural interests	X
Andy Endsley	Counties	X
W. Greg Carter	Electric generating utilities	X
Laura-Ashley Overdyke	Environmental interests	X
Clark Crandall	Industries	X
Dustin Henslee	Municipalities	X
Kirby Hollingsworth	Public	
R Reeves Hayter	River authorities	X
Kelly Mitchell	Small business	X
Joseph W. Weir III	Water districts	X
Susan Whitfield	Water utilities	X

<u>Non-voting Member</u>	<u>Agency</u>	<u>Present(x)/Absent ()/ Alternate Present (*)</u>
James (Clay) Shipes	Texas Parks and Wildlife Department	
Brian Hurtuk	Texas Division of Emergency Management	X
Darrell Dean	Texas Department of Agriculture	X
Tony Resendez	Texas State Soil and Water Conservation Board	
Trey Bahm	General Land Office	X
Megan Ingram	Texas Water Development Board (TWDB)	X
Michelle Havelka	Texas Commission on Environmental Quality	X

Quorum:

Quorum: **Yes**

Number of voting members or alternates representing voting members present: **10**

Number required for quorum per current voting membership of **11: 6**

Other Meeting Attendees: **

Anita Machiavello, TWDB

Megan Ingram, TWDB

Chris Brown

Paul Prange

Jarred Overbey

Jacob Lesue
Tony Smith
Randy Whiteman
James Bronikowski
Matt Bucchin
Sara Eatman
Dustin Meyer-PRPC

**Meeting attendee names were gathered from those who entered information for joining the Zoom meeting.

All meeting materials are available for the public at:
<http://www.twdb.texas.gov/flood/planning/regions/schedule.asp>.

AGENDA ITEM NO. 1: Call to Order

Reeves Hayter called the meeting to order at 2:05PM. A roll call of the planning group members was taken to record attendance and a quorum was established prior to calling the meeting to order.

AGENDA ITEM NO. 2: Welcome

Reeves Hayter welcomed members to the meeting and Chris Brown recognized Randy Whiteman as the new liaison from the Canadian-Upper Red RFPG.

AGENDA ITEM NO. 3: Confirmation of Attendees / determination of a quorum

Each present voting and non-voting member of the Region 2 Lower Red-Sulphur-Cypress RFPG introduced themselves, establishing that a quorum had been met.

AGENDA ITEM NO. 4: Public Comments – limit 3 minutes per person

Reeves Hayter opened the floor to public comments. No public comments were given.

AGENDA ITEM NO. 5: TWDB Update and Presentation

Anita Machiavello announced that she did not have a formal presentation, however she did provide updates to the Lower Red-Sulphur-Cypress RFPG board members. Anita stated that the TWDB is currently reviewing applications for funding and this process will be completed no later than March 31, 2021. She also announced that additional guidance documents would be provided to the Regional Flood Planning Groups by TWDB staff.

ACTION ITEMS**AGENDA ITEM NO. 6: Approval of minutes from the previous meeting held on Thursday, January 7, 2021 (p3)**

Reeves Hayter opened the floor for discussion and approval of the minutes from the previous meeting. Brief discussion took place among the board members. A motion was made by Greg Carter and was seconded by Joseph Weir to approve the minutes as presented. The motion carried unanimously.

AGENDA ITEM NO. 7: Discuss and consider action on Technical Consultant Request for Qualifications (RFQ) and process of selection (p9).

Chris Brown, ATCOG Executive Director, provided information to the board members regarding eligible and ineligible activities associated with reimbursement from the TWDB grant funds, specifically relating to the procurement of consultants. Chris also provided an overview of the proposed scoring criteria and announced that the RFQ would be published in several newspapers located throughout the region. Brief discussion took place among the board members relating to some specific language in the RFQ which needed to be amended.

Laura-Ashley Overdyke asked Chris Brown to consider publishing the RFQ announcement in the Marshall, Texas newspaper, as well. Chris stated that ATCOG would add this newspaper to the list and then provided a timeline for publishing the RFQ announcement and selection of a technical consultant. Reeves Hayter stated that the Lower Red-Sulphur-Cypress RFPG needs to have the technical consultant on board, with an executed contract by May 30, 2021 in order to stay on schedule. Clark Crandall asked

how many proposals would be submitted for review and Reeves stated that approximately 5 proposals would likely be submitted. Joseph Weir recommended that a sub-committee, comprised of Reeves Hayter, Greg Carter and Chris Brown be appointed to review all of the proposals submitted, prior to being reviewed by the full board for selection of a technical consultant. Laura-Ashley Overdyke asked Reeves, how many proposals would be reviewed by the full board and Reeves stated that 3 proposals would be selected for final consideration. Greg Carter then stated that he agreed with the 3 member sub-committee, as recommended and asked if anyone else would like to volunteer to serve on the sub-committee. No other board members volunteered. It was stated that no action could be taken on the sub-committee suggestion, but it would be placed on the next agenda for consideration.

Reeves Hayter asked for motions and approval of this agenda item. A motion was made by Joseph Weir and seconded by Greg Carter. The motion carried unanimously.

OTHER BUSINESS

AGENDA ITEM NO. 8: Update from Planning Group Sponsor

- a) **ATCOG/TWDB Group Sponsor Contract**
- b) **Contact with the US Army Corps of Engineers for appointment to new, non-voting member position**
- c) **www.texasfloodregion2.org website development**

Reeves Hayter handed this item off to Chris Brown who discussed the status of the contract between ATCOG and TWDB. Chris stated that coordination was ongoing with Anita Machiavello at the TWDB to ensure compliance with all of the rules and regulations. Brief discussion took place among the board members.

Chris Brown announced that ATCOG has drafted letters requesting feedback from the US Army Corps of Engineers in both the Fort Worth and Tulsa Districts to appoint a representative to serve as a non-voting member of the board, at the request of the Lower Red-Sulphur-Cypress Regional Flood Planning Group.

Chris Brown then provided the board members with a link to the new Lower Red-Sulphur-Cypress Regional Flood Planning Group website and conducted a brief screen-sharing presentation, showing the website. Chris asked the board members for any ideas or input that they may want to add to the website as the flood planning process moves forward.

AGENDA ITEM NO. 9: Discuss Requirement for Flood Planning Members to obtain Public Information Act and Open Meetings Certification to fulfill Texas Government Code 551.005 (p41).

Reeves Hayter handed this agenda item off to Chris Brown who asked all Lower Red-Sulphur-Cypress Regional Flood Planning Group board members to complete an online training course and obtain certificates, in order to be in compliance with the rules outlined by the TWDB. Reeves stated that any board members who are already certified do not need to take this training again, but certificates need to be provided to ATCOG staff. Laura-Ashley Overdyke asked Chris to inform the board members regarding the status of these certificates prior to the next meeting.

AGENDA ITEM NO. 10: Consider date and agenda items for next meeting

Reeves Hayter opened the floor up for discussion and stated that he would like to schedule the next meeting on Thursday, March 4, 2021 at 2:00pm via webinar/teleconference. The board members agreed that the first Thursday of each month at 2:00pm was an appropriate time to schedule the initial meetings. Reeves suggested electing officers at the March meeting instead of the April meeting, due to time constraints. Reeves stated that the technical consultants would be conducting presentations at the April meeting, which may take several hours. Brief discussion took place among the board members and all were in agreement with the suggestions.

Reeves Hayter asked the board members if there were any other suggestions or topics for the next meeting agenda. Chris Brown and Greg Carter briefly discussed selecting alternates for the existing board members, in the event of an unexpected absence. Laura-Ashley Overdyke asked about the possibility of obtaining notes or a template for scoring the technical consultants, prior to the meeting in April, for reference, in order to maintain TWDB scoring rules. Anita Machiavello stated that she would check into this possibility.

AGENDA ITEM NO. 11: Adjourn

Reeves Hayter made a motion to adjourn the meeting.

The board members unanimously agreed.

The vote to adjourn was passed by unanimous consent.

The meeting was adjourned at 2:50PM by Reeves Hayter

Approved by the Region 2 Lower Red-Sulphur-Cypress RFPG at a meeting held on 2/4/2021.

Reeves Hayter, CHAIR

BRIEFING PAPER - ACTION ITEM

ITEM 7:

Discuss and Consider nominations for election of Region 2 RFPG Officers to include Chair, Vice Chair, Secretary, Executive Committee

BACKGROUND:

The [Region 2 RFPG Bylaws \(link\)](#) address the selection of Officers and Executive Committee Members in Article VIII, Sections 1,2, & 6.

DISCUSSION:

Voting members of the Region 2 Lower Red-Sulphur-Cypress RFPG shall select from the voting membership a Chair, Vice Chair, and Secretary to serve as officers.

The Executive Committee shall be composed of five Region 2 Lower Red-Sulphur-Cypress RFPG members, including the Chair, Vice Chair, Secretary, and two voting members-at-large. No two voting members representing the same interest shall serve as members of the Executive Committee at the same time. The two members-at-large shall be selected annually in the same manner and with the same terms as set forth for the selection of officers under this Article.

RECOMMENDATION:

The Bylaws state the officers must be selected within 180 days of their adoption at the meeting on October 30, 2020. Since the April meeting will likely involve the selection of the Technical Consultant, it is recommended the Executive Committee be selected in this meeting.

BRIEFING PAPER - ACTION ITEM

ITEM 8:

Discuss and Consider designating a non-voting member liaison to the Region 1 Canadian-Upper Red RFGP required per Â§361.11(f)(8) of the Texas Administrative Code.

BACKGROUND:

(8) Non-voting member liaisons designated by each RFGP, as necessary, to represent portions of major river basins that have been split into more than one FPR to coordinate between the upstream and downstream FPRs located within that same river basin. This non-voting member liaison may, at the discretion of the RFGP, be met by a voting member that also meets another position requirement under subsection (e) of this section; and

DISCUSSION:

[Â§361.11\(f\)\(8\) of the Texas Administrative Code.](#)

RECOMMENDATION:

Staff recommends approval of a designated representative.

2021 Group Member Alternate Designee Form:

Name:

Interest Category:

serves as the voting member for the Region 2 RFPG.

In my absence, please allow the following to serve as my designated alternate:

Name:

Email:

ARTICLE VII. Designated Alternates

Each member shall designate an alternate to represent him/her when he/she is unable to attend a meeting. Each member must notify the Chair in writing of the name and appropriate contact information of the member's designated alternate prior to the first meeting at which the designated alternate will appear on behalf of the member. If the member fails to provide such notice, the Chair may forbid the participation of the designated alternate at the meeting or hearing. The Chair shall not recognize the designation of more than one alternate per member at any given time. The Chair shall not recognize more than two alternate designations of any kind per member per calendar year unless the Region 2 Lower Red Sulphur Cypress RFPG expressly decides to waive this provision.

The designated alternate shall enjoy the same voting privileges, or lack thereof, and shall be bound by the same duties, terms, and conditions as the member they represent, except as otherwise provided in these bylaws. However, a designated alternate for a voting member who serves as an officer shall not be allowed to serve in the capacity as an officer in the member's absence.

The Chair shall provide each member with a current list of all members and their designated alternates.

Signature of Member

BRIEFING PAPER - ACTION ITEM

ITEM 10:

Discuss and consider appointment and review process of selection committee for the Technical Consultant RFQ due March 12, 2021

BACKGROUND:

Article XII of the [Region 2 RFPG Bylaws \(link p14\)](#) addresses the formation of committees, subcommittees and subgroups.

DISCUSSION:

Membership in the committees, subcommittees, and subgroups shall follow the requirements and procedures of Article V of these bylaws and [31 TAC §361.12\(c\)](#). Appointment to committees, subcommittees, or subgroups shall be made by consensus, but not less than agreement of a majority of the voting members present.

(5) Each RFPG or committee or subcommittee or subgroup of a RFPG is subject to Chapters 551 (relating to Open Meetings) and 552 (relating to Public Information), Government Code.

RECOMMENDATION:

Staff recommends evaluation of the required rules for forming a selection committee.