

**NOTICE OF OPEN MEETING**  
**REGIONAL WATER PLANNING GROUP-NETRWPG**

**Wednesday, August 4, 2021 – 10:00 A.M.**

**Region 8 Education Service Center  
4845 US 271 N  
Pittsburg, TX 75686**

In compliance with the Texas Open Meetings Act, Chapter 551, of the Texas Government Code, the Regional Water Planning Group D issues this public notice. On August 4, 2021 at 10:00 A.M., the North East Texas Regional Water Planning Group (NETRWPG) will meet in-person. The meeting will be held the Region 8 Education Service Center, 4845 US 271 N, Pittsburg, TX 75686. The NETRWPG will consider and act on the following items:

1. Recognitions. Roll call.
2. Pre-Planning Public Input Meeting on the Development of the 2026 Regional Water Plan.
  - Presentation of an Overview of the Regional Planning Process from Carollo Engineers.
  - Receive public input and comments on issues that should be addressed or provisions that should be included in the 2026 Regional Water Plan and 2027 State Water Plan.
3. Discussion and Action as appropriate: Discuss the potential process for conducting interregional coordination regarding water management strategies during development of the 2026 Regional Water Plans including the identification of such strategies and course of action for coordination. Presentation from Carollo Engineers of preliminarily identified water management strategies that may create opportunities for interregional coordination.
4. Public Comment. This agenda item is limited to no more than one hour in length.
5. Review and approval of minutes for March 31, 2021 meeting.
6. Reports from liaisons: TWDB Project Manager - Ron Ellis; GMA #8 & #11; Region C & I.
7. Presentation on Statewide Aquifer Storage Recovery (ASR) Study, TWDB Conservation & Innovative Water Technologies.
8. Discussion and Action as appropriate: Authorize Riverbend Water Resources District (RWRD) to execute a contract with Carollo Engineers to be the Technical Consultants for the 2026 Regional Water Plan for Region D.
9. Discussion and Action as appropriate: Review, discuss, and consider taking action on changes to the Region D bylaws.
10. Appointment of successor for expiring voting member positions. Terms of each position are for 3 years, commencing on September 1, 2020. Selection process for positions will consider any additional nominations from voting members. Positions to be appointed include positions currently held by Wade Bartley, Sharron Nabors, Joe Coats, Jim Thompson, Bob Staton, Dennis Hilliard, Cheri Stuart, and Brandon Belcher.
11. Further public comment/participation.
12. Adjourn.

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Additional information may be obtained from the Administrative Agency for NETRWPG: Riverbend Water Resources District, 228 Texas Avenue, Suite A, New Boston, Texas 75570; Office Telephone: (903) 831-0091; Office Fax: (903) 831-0096; E-mail: [kyledooley@rwrdd.org](mailto:kyledooley@rwrdd.org); Website: <https://rwrdd.org/region-d/>; Attn: Kyle Dooley, P.E., Executive Director

**MEETING OF THE  
North East Texas Regional Water Planning Group  
WEDNESDAY, AUGUST 4, 2021**

**Agenda Item 2  
Pre-Planning Public Input Meeting on the  
Development of the 2026 Regional Water  
Plan**

**Administrative Summary**

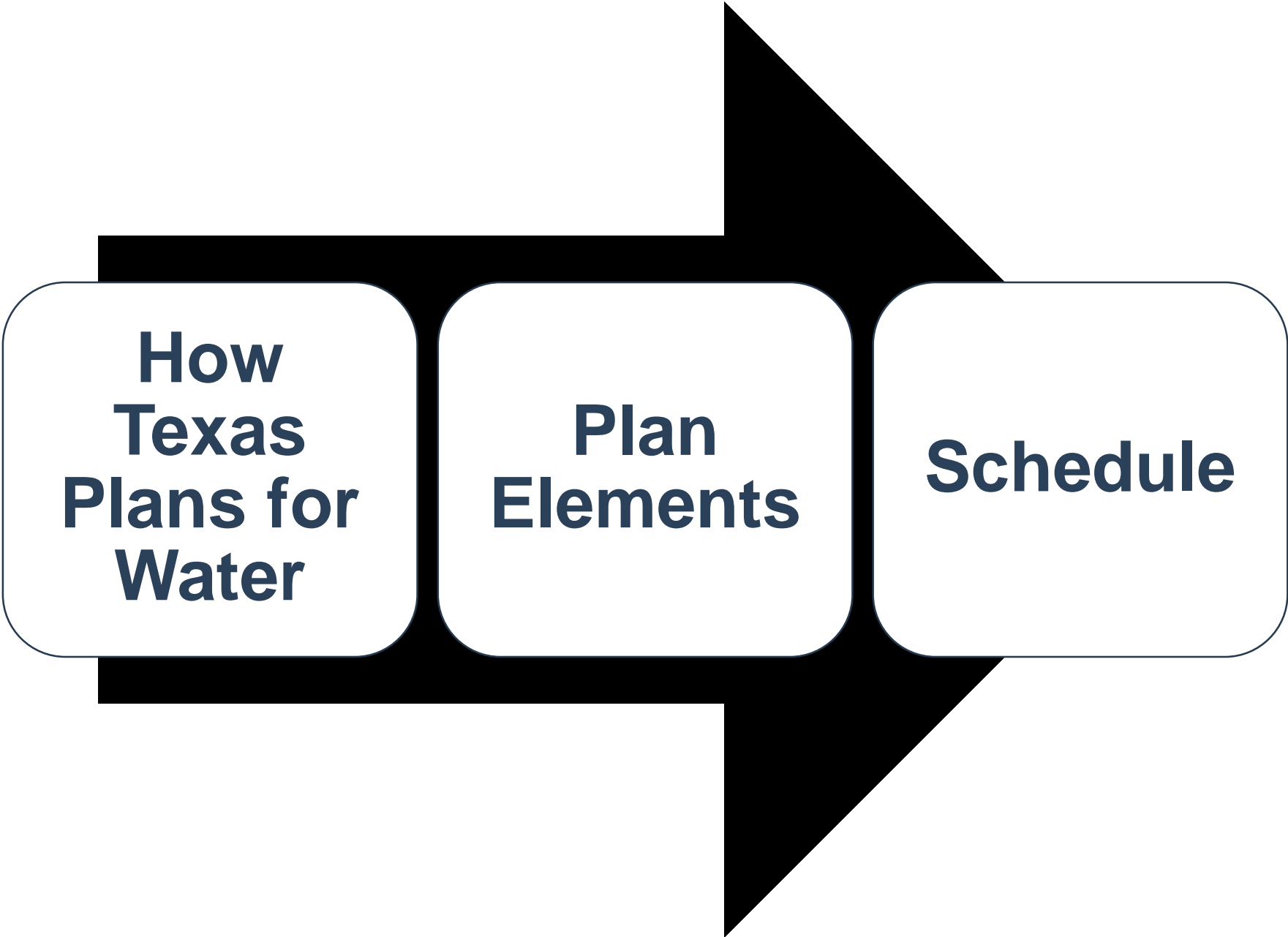
This item pertains to receiving public input and comments on issues that should be addressed or provisions that should be included in the 2026 Regional Water Plan and 2027 State Water Plan. There will be a short presentation that describes the Regional Planning Process followed by a public input and comments.

# Region D Water Planning

Overview



PITTSBURG, TX    AUGUST 4, 2021



**How  
Texas  
Plans for  
Water**

**Plan  
Elements**

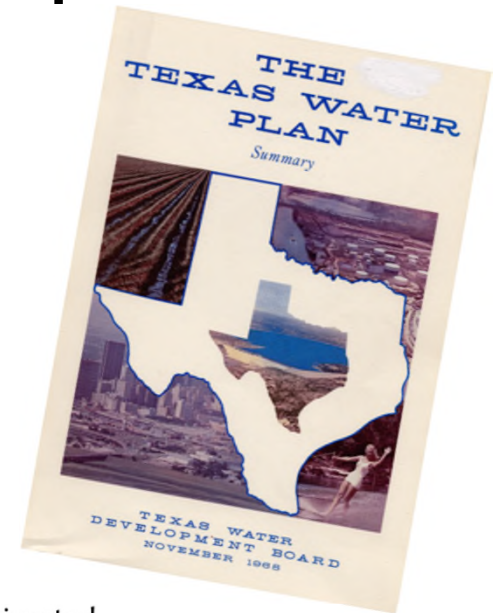
**Schedule**



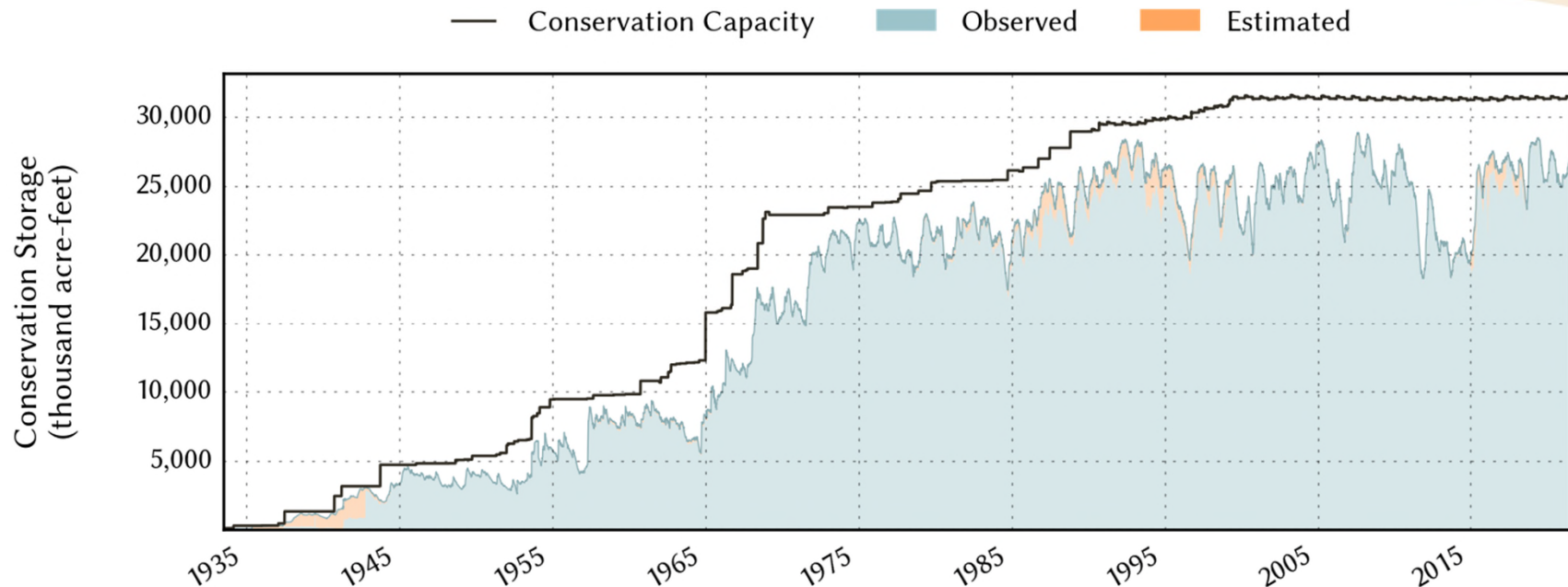
# 1950's Drought – Legislative Response

- '68 Plan featured “Burleigh’s Ditch” which would move Mississippi River water into Texas to the Panhandle

State developed the water plan with input from stakeholders

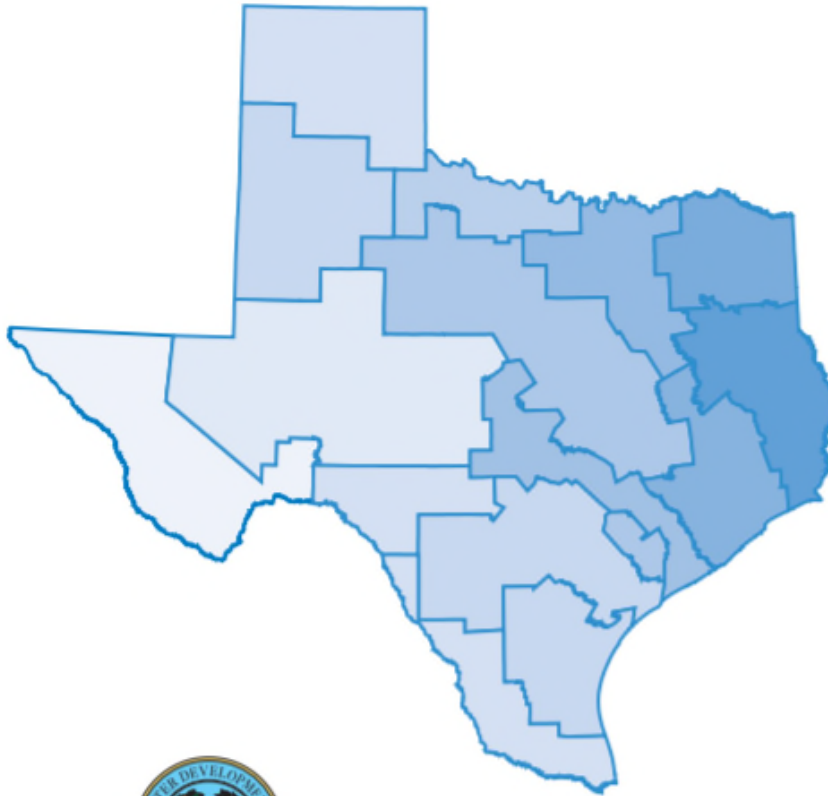


- 11 State Water Plans (1961 – 2021)





## *Water for Texas – 2002*



*Texas Water Development Board  
January 2002*

# Supply Planning Paradigm Shift:

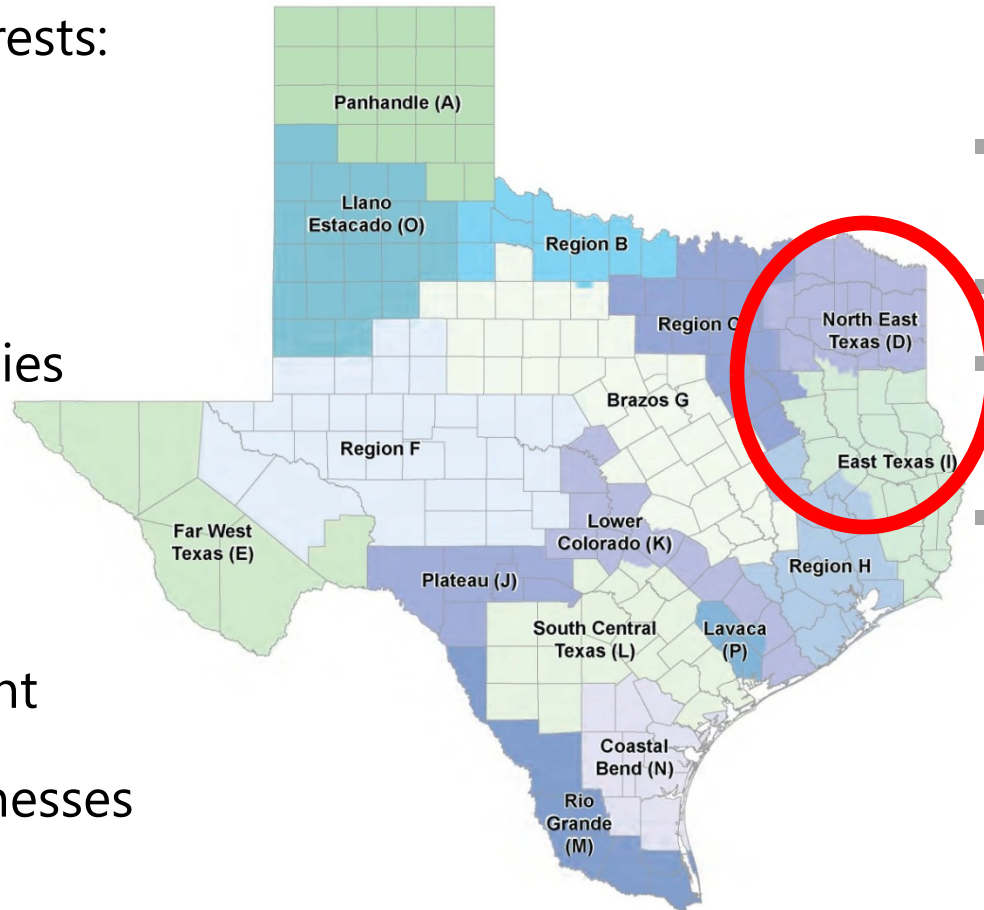
## Senate Bill 1 & Regional Planning

Late 90's potential new  
Drought of Record

# Regional Water Planning

Statutory interests:

- Public
  - Counties
  - Municipalities
  - Industries
  - Agriculture
  - Environment
  - Small businesses
- Electric-generating utilities
  - River authorities
  - Water districts
  - Water utilities
  - Groundwater management areas





# Regional Water Planning

- 16 regions each produce a **unique 50-yr plan every five years**
- Collaboration of:
  - Texas citizens
  - Water experts
  - Government agencies
- Goal to sustain cities and rural communities, farms and ranches, homes and businesses while preserving agricultural and natural resources.



# Water Management Strategies

- Strategies are the **projects or actions recommended to meet water needs**
- Examples:
  - conservation;
  - wastewater reuse;
  - desalination of surface or ground water

- New infrastructure to access existing supplies
  - (Example: new intake/pipeline to a reservoir or provider's raw water system)
- New groundwater wells
- New surface water diversions or impoundments in reservoirs (on/off-channel)

# Why does the Regional Water Plan Matter?

## Regional and State Water Plans are considered in:

- Permitting (including amendments)
- Funding assistance
- Broad-scale resource to support future growth
  - Evidence of water supply and capability to support economic development
  - High-level base to support additional necessary detailed studies
- Rural water providers with limited funding for individual long-term planning studies



## Consistency

- Consistency is achieved when a proposed project will use the **same source of water** as currently used or recommended in the water plan
- A project does not have to be in the water plan **unless** certain state financing is used (SWIFT, etc.)
- Treatment & distribution infrastructure usually not included in plans

# Regional Water Plan Chapters

No.	Title	Initial Authorization
1	Description of the Regional Water Planning Area	★
2	Population and Water Demand Projections	★
3	Evaluation of Current Water Supplies in the Region	
4	Identification of Water Needs	
5	Identification and Evaluation of Potentially Feasible, Recommended, and Alternative Water Management Strategies	
6	Impacts of the Regional Water Plan, and Description of How the Regional Water Plan is Consistent with the Long-Term Protection of the State's Water, Natural, and Agricultural Resources	
7	Drought Response Information, Activities, and Recommendations	
8	Unique Stream Segments, Reservoir Sites, and Legislative Recommendations	★
9	Infrastructure Financing Analysis	
10	Adoption of Plan and Public Participation	★
11	Implementation and Comparison to Previous Regional Water Plan	

**Texas Water**  
Development Board

Notes: <sup>A</sup> Estimated timeline based on currently available agency resources and subject to change  
<sup>B</sup> Only Tasks included in the initial contract scope of work have task numbers in this initial timeline.  
<sup>C</sup> DB27 is the updated, online water planning database for the 2027 State Water Plan  
<sup>D</sup> Anticipated database availability dates are estimates based on currently available agency resources  
<sup>E</sup> Subject to available funding

# Key Deliverables and Deadlines

## Technical Memorandum

- March 4, 2024

## Initially Prepared Plan

- March 3, 2025

## Final Regional Water Plan

- October 20, 2025





# Questions?

**Tony L. Smith, P.E.**  
Carollo Engineers, Inc.  
Office: 512-427-8151  
[TLSmith@Carollo.com](mailto:TLSmith@Carollo.com)

**MEETING OF THE  
North East Texas Regional Water Planning Group  
WEDNESDAY, AUGUST 4, 2021**

**Agenda Item 3  
Discuss the Potential Process for  
Conducting Interregional Coordination  
regarding Water Management Strategies  
during Development of the 2026 Regional  
Water Plan**

**Administrative Summary**

There will be a short presentation that identifies water management strategies that may require interregional coordination. The board will discuss the potential process for conducting the interregional coordination of those identified water management strategies.

# Region D Water Planning

Preliminary List of Water Management  
Strategies and Projects for Potential  
Interregional Coordination



PITTSBURG, TX    AUGUST 4, 2021

# New Requirement for 2026

Discuss how the RWPG will conduct interregional coordination and collaboration regarding water management strategies (WMSs) during development of the 2026 Regional Water Plan

Supporting data on WMSs from the 2021 Regional Water Plans & 2022 State Water Plan.

- Recommended WMSs and WMS Projects
- Alternative WMSs

# Preliminarily Identified Recommended WMS from 2021 Regional Water Plans



Recommended Water Management Strategies	Sponsor Region	Source Region	Potential Receiving Region	WMS Type	Year Online	2070 Total Supply
MARVIN NICHOLS (328) STRATEGY FOR NTMWD, TRWD, AND UTRWD	C	D	C; D; G	Reservoir	2050	451,500
NTMWD - ADDITIONAL LAVON WATERSHED REUSE	C	C	C; D	Reuse	2050	38,780
NTMWD - ADDITIONAL MEASURES TO ACCESS FULL LAVON YIELD	C	C	C; D	Other Surface	2030	9,510
NTMWD - BOIS D'ARC LAKE	C	C	C; D	Reservoir	2020	117,600
NTMWD - EXPANDED WETLAND REUSE	C	C	C; D	Reuse	2030	37,510
NTMWD - OKLAHOMA	C	OK	C; D	Other Surface	2070	50,000
NTMWD - TEXOMA BLENDING	C	C	C; D	Other Surface	2040	113,933
TRWD - ADDITIONAL CEDAR CREEK AND RICHLAND-CHAMBERS	C	C	C; D; G; I	Reuse	2030	35,540
TRWD - AQUIFER STORAGE AND RECOVERY PILOT	C	C	C; D; G	ASR	2020	5,000
TRWD - CARRIZO-WILCOX GROUNDWATER	C	C; I	C; D; G; I	GW	2040	28,094
TRWD - CEDAR CREEK WETLANDS	C	C	C; D; G	Reuse	2030	88,059
TRWD - REUSE FROM TRA CENTRAL WWTP	C	C	C; D; G	Reuse	2030	60,000
TRWD - TEHUACANA	C	C	C; D; G; I	Reservoir	2040	21,070
TRWD - UNALLOCATED SUPPLY UTILIZATION	C	C	C; D; G; I	Other Surface	2020	8,347
WRIGHT PATMAN REALLOCATION FOR NTMWD, TRWD, AND UTRWD	C	D	C; D; G; I	Other Surface	2070	122,200
TYL-PAL-EXISTING SURPLUS FOR TYLER	I	I	D; I	Other Surface	2030	3,079



Recommended Water Management Strategies	Split WUGs Potentially Receiving Supply
MARVIN NICHOLS (328) STRATEGY FOR NTMWD, TRWD, AND UTRWD	216 WUGs
WRIGHT PATMAN REALLOCATION FOR NTMWD, TRWD, AND UTRWD	
NTMWD - ADDITIONAL LAVON WATERSHED REUSE	Ables Springs WSC, BHP WSC, Blackland WSC, Caddo Basin SUD, Cash SUD, Josephine, Poetry WSC, Royse City
NTMWD - ADDITIONAL MEASURES TO ACCESS FULL LAVON YIELD	
NTMWD - EXPANDED WETLAND REUSE	
NTMWD - OKLAHOMA	
NTMWD - TEXOMA BLENDING	
NTMWD - BOIS D'ARC LAKE	Ables Springs WSC, Blackland WSC, Caddo Basin SUD, Poetry WSC
TRWD - ADDITIONAL CEDAR CREEK AND RICHLAND-CHAMBERS	Mabank
TRWD - AQUIFER STORAGE AND RECOVERY PILOT	
TRWD - CARRIZO-WILCOX GROUNDWATER	
TRWD - CEDAR CREEK WETLANDS	
TRWD - REUSE FROM TRA CENTRAL WWTP	
TRWD - TEHUACANA	
TRWD - UNALLOCATED SUPPLY UTILIZATION	
TYL-PAL-EXISTING SURPLUS FOR TYLER	Crystal Systems Texas, Lindale

# Preliminarily Identified Recommended WMS Projects from 2021 Regional Water Plans

WMS Project Sponsor Region				
Project Name	Capital Cost	Online Decade	Project Sponsors	
C B H P WSC - DIRECT CONNECTION TO NTWMD	\$3,108,000	2020	B H P WSC	
C BLACKLAND WSC - DIRECT CONNECTION TO NTWMD	\$6,804,000	2030	BLACKLAND WSC	
C CASH WSC - ADDITIONAL DELIVERY INFRASTRUCTURE FROM NTMWD	\$7,888,000	2020	CASH SUD	
C MARVIN NICHOLS (328) - TRWD, NTMWD, UTRWD	\$4,467,478,000	2050	NORTH TEXAS MWD; TARRANT REGIONAL WD; UPPER TRINITY REGIONAL WD	
C NTMWD - ADDITIONAL LAKE TEXOMA BLEND PHASE I	\$228,206,000	2040	NORTH TEXAS MWD	
C NTMWD - ADDITIONAL LAKE TEXOMA BLEND PHASE II	\$346,367,000	2060	NORTH TEXAS MWD	
C NTMWD - ADDITIONAL LAVON WATERSHED REUSE	\$300,000	2050	NORTH TEXAS MWD	
C NTMWD - ADDITIONAL MEASURE TO ACCESS FULL LAKE LAVON YIELD	\$32,753,000	2030	NORTH TEXAS MWD	
C NTMWD - BOIS D'ARC LAKE	\$939,638,000	2020	NORTH TEXAS MWD	
C NTMWD - EXPANDED WETLAND REUSE	\$625,891,000	2030	NORTH TEXAS MWD	
C NTMWD - OKLAHOMA WATER	\$259,924,000	2070	NORTH TEXAS MWD	
C NTMWD TREATMENT & TREATED WATER DISTRIBUTION IMPROVEMENTS 2020-2030	\$1,693,455,000	2020	NORTH TEXAS MWD	
C NTMWD TREATMENT & TREATED WATER DISTRIBUTION IMPROVEMENTS 2030-2040	\$1,021,378,000	2030	NORTH TEXAS MWD	
C NTMWD TREATMENT & TREATED WATER DISTRIBUTION IMPROVEMENTS 2040-2050	\$1,085,848,000	2040	NORTH TEXAS MWD	
C NTMWD TREATMENT & TREATED WATER DISTRIBUTION IMPROVEMENTS 2050-2060	\$957,348,000	2050	NORTH TEXAS MWD	
C NTMWD TREATMENT & TREATED WATER DISTRIBUTION IMPROVEMENTS 2060-2070	\$257,000,000	2060	NORTH TEXAS MWD	

WMS Project Sponsor Region	Project Name	Capital Cost	Online Decade	Project Sponsors
C	TRWD - ADDITIONAL CAPACITY TO CONVEY RICHLAND CHAMBERS REUSE (IPL)	\$507,733,000	2030	TARRANT REGIONAL WD
C	TRWD - ADDITIONAL TRANSMISSION PIPELINE	\$1,765,505,000	2060	TARRANT REGIONAL WD
C	TRWD - ASR PILOT	\$14,264,000	2020	TARRANT REGIONAL WD
C	TRWD - CARRIZO-WILCOX GROUNDWATER	\$191,469,000	2040	TARRANT REGIONAL WD
C	TRWD - CEDAR CREEK WETLANDS REUSE	\$226,318,000	2030	TARRANT REGIONAL WD
C	TRWD - REUSE FROM TRA CENTRAL WWTP	\$154,205,000	2030	TARRANT REGIONAL WD
C	TRWD - TEHUACANA RESERVOIR	\$325,468,000	2040	TARRANT REGIONAL WD
C	WRIGHT PATMAN REALLOCATION NTMWD, TRWD, AND UTRWD	\$1,645,711,000	2070	NORTH TEXAS MWD; TARRANT REGIONAL WD; UPPER TRINITY REGIONAL WD
I	SMTH-LDL-INFRASTRUCTURE	\$7,592,000	2020	LINDALE
I	SMTH-MFG-PURCHASE FROM CITY OF TYLER	\$6,198,000	2020	MANUFACTURING (SMITH)
I	TYLR-PAL-CITY OF TYLER - LAKE PALESTINE EXPANSION	\$111,190,000	2030	TYLER

Preliminarily Identified  
**Alternative** WMS  
from 2021 Regional  
Water Plans

# Alternative Water Management Strategies

Alternative Water Management Strategies	Sponsor Region	Source Region	Potential Receiving Region	WMS Type	Year Online	2070 Total Supply
Canton Grand Saline Reservoir	D	D	D	Reservoir	2020	1,810
Wood County Pipeline	D	D	D/C	GW	2020	21,803
DWU Groundwater	C	D	C	GW	2020	30,000
DWU – Sabine Conjunctive System Operations	C	D	C	Conjunctive Use	2020	104,200
Marvin Nichols (328) for NTMWD, TRWD, UTRWD, DWU, and Irving	C	D	C	Reservoir	2050	361,200
NTMWD – George Parkhouse Reservoir (North)	C	D	C	Reservoir	2050	85,200
NTMWD – George Parkhouse Reservoir (South)	C	D	C	Reservoir	2050	92,800
NTMWD – Lake of the Pines (Cypress Basin Supplies)	C	D	C	Other Surface	2030	50,000
NTMWD and UTRWD – George Parkhouse Reservoir (North)	C	D	C	Reservoir	2050	85,200
NTMWD and UTRWD – George Parkhouse Reservoir (South)	C	D	C	Reservoir	2050	92,800
Wright Patman Reallocation for NTMWD, TRWD, UTRWD, and Irving	C	D	C	Other Surface	2070	122,200
Dimple Reservoir	D	D	D	Reservoir	2020	<sup>10</sup> 10,200





# Questions?

**Tony L. Smith, P.E.**  
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[TLSmith@Carollo.com](mailto:TLSmith@Carollo.com)

**MEETING OF THE  
North East Texas Regional Water Planning Group  
WEDNESDAY, AUGUST 4, 2021**

**Agenda Item 5  
March 31, 2021 Meeting Minutes**

**Minutes of the North East Texas Regional Water Planning Group  
March 31, 2021 – 1:00 P.M.**

The North East Texas Regional Water Planning Group (NETRWPG) – Region D met in an open meeting on Wednesday March 31, 2021, at 1:00 P.M. The meeting was held telephonically only. Notice of the meeting was legally posted.

Jim Thompson called the meeting to order at 1:00 p.m. and welcomed everyone. Introductions were made and a quorum was present. Twenty-one members of the planning group were present in person or represented by a designated alternate.

The following voting members were present:

Russell Acker	Allen Beeler	Brandon Belcher
John Brooks	Joe Bumgarner	Donnie Duffee
Nicolas Fierro	Cindy Gwinn	Dennis Hilliard
Conrad King	Richard LeTourneau	Janet McCoy
Rolin McPhee	Fred Milton	Ned Muse
Sharron Nabors	Lloyd Parker	Bob Staton
Cheri Stuart	Harlton Taylor	Jim Thompson

The following alternates were present:

Greg Carter    Jim Davis

The following voting members were absent:

Wade Bartley        Bruce Bradley        Joe Coats

The public was provided an opportunity for comment prior to any action being taken by the planning group. No public comments were made at the beginning of this meeting.

Sharron Nabors made a motion to approve the minutes from the December 16, 2020 meeting. Conrad King seconded the motion. Motion carried, all voting aye.

Chair Jim Thompson asked for updates from the liaisons. Ron Ellis with Texas Water Development Board (TWDB) stated that the water development board is in the process of updating chapter 355 Rules for Regional Water Planning Grants and chapter 357.21 Rules for Public Notice Requirements. The draft rules allow for limited reimbursement for certain labor costs for planning group political subdivisions and the draft rules also remove the 30-day notice requirement which is associated with the water development board action on funding applications. These draft rules have been published and the comment period has been closed. Adoption of these changes is projected for May 2021. The request for applications for the 6<sup>th</sup> round planning contracts was posted on March 12, 2021 and the deadline for response is April 12, 2021. It is anticipated that the TWDB will authorize negotiation and execution of those contracts in June 2021. Those contracts would be sent out to the planning groups for signature in July 2021. Contract execution deadline is the end of August 2021. The TWDB has contracted with the University of Texas Bureau of Economic Geology to assess mining water use and to assess mining water demand projections to be used in the 2026 Regional Water Plan. The kick-off meeting for that contract was held in December 2020. Aquifer Storage and Recovery Study update: TWDB conducted a statewide survey of the major and minor aquifers in the state to determine their suitability for use in aquifer storage and

## **NETRWPG Minutes for March 31, 2021**

### **Page Two**

recovery projects or aquifer recharge projects. The completed report was submitted to the legislature in December 2020. There will be a presentation of that report to the NETRWPG board hopefully at the next meeting. Reservoir Yield Uncertainty Study update: TWDB Surface Water Division is conducting a study to quantify the uncertainty of reservoir firm yield. This study has been contracted out to AquaStrategies. The study will evaluate the impact of significant drought events on reservoir yield. From that study a tool will be developed for planning groups to optionally use to assess reliability of that yield. Stakeholder meeting was held on March 30, 2021. The final study results will be shared with all of the planning groups when it is completed. Inter-Regional Planning Council update: The group developed and submitted recommendations to TWDB in October 2020. TWDB has reviewed the recommendations. One recommendation, to revise the Open Meetings Act to allow the continuation of a virtual meeting options for planning groups has been included on the legislative priorities report. That resulted in House Bill 2103 to be filed that would allow planning groups to continue to have the option to meet virtually. Another recommendation regarding the administrative offices of political subdivisions to reimbursed for some labor costs is in the pending rule revision mentioned earlier. Other recommendations regarding coordination with other regions will be addressed in the contracting and guidance with the 6<sup>th</sup> round of planning. The current inter-regional planning council was dissolved with the adoption of the 2022 State Water Plan in the Summer of 2021. Nominations for the next council will be solicited after that. Please contact Mr. Ellis for further information on any of these updates.

Sharron Nabors stated that GMA #8 and Region C had no new updates. John McFarland with Region I and GMA #11 stated that GMA #11 met earlier this month and will meet in April to adopt new desired future condition numbers and will have open comments after that. Region I met this month to begin to take contracts for a consultant.

Jim Thompson provided a list of the current officers as follows: Jim Thompson as Chairman; Richard LeTourneau as Vice Chairman; Rolin McFee as Secretary; Bob Staton as an At-Large Member; and Joe Bumgarner as an At-Large Member. He then asked for a motions or discussion regarding the election of officers. Sharron Nabors made a motion to keep the current slate of officers. Cindy Gwinn seconded the motion. Motion carried, all voting aye.

Jim Thompson provided that action must be taken to authorize Riverbend Water Resources District (RWRD) to provide public notice and hold a pre-planning public meeting to obtain public input on development of the 2026 Regional Water Plan and 2027 State Water Plan. Kyle Dooley, Executive Director/CEO for RWRD, provided that this meeting is necessary to start the process for the 6<sup>th</sup> round of water planning. It will provide the opportunity for public comment on the upcoming plan. Public notice must be provided as well. This meeting date is anticipated to be in mid to late July and can be held in conjunction with the Region D board meeting. Ned Muse made a motion to authorize Riverbend Water Resources District (RWRD) to provide public notice and hold a pre-planning public meeting to obtain public input on development of the 2026 Regional Water Plan and 2027 State Water Plan. Russell Acker seconded the motion. Motion carried, all voting aye.

## **NETRWPG Minutes for March 31, 2021**

### **Page Three**

Jim Thompson provided information on the need to select a Technical Consultants in accordance with 31 TAC 355.92 (c). Mr. Thompson provided that in response to a request for qualifications published in March, Carollo Engineers, Inc. and HDR Engineering, Inc. each

submitted a proposal for consideration. At this time each firm was given five minutes to make a presentation to the board. Tony Smith with Carollo Inc.; James Beach with Advanced Groundwater Solutions, LLC; and Stan Hayes with Hayes Engineering Inc. presented their qualifications to continue to provide consulting and engineer services to NETRWPG regarding water planning. Following their presentation, David Dunn and Zach Stein with HDR Engineering Inc.; and Susan Roth with Susan Roth Consulting presented their qualifications to be considered to provide the needed services to NETRWPG regarding water planning.

Discussions commenced among board members comparing the two firms. Jim Thompson then called for a motion to act on the item up for discussion. Rolin McFee made a motion to choose Carollo Inc. as the Technical Consultant for NETRWPG. Ned Muse seconded that motion. Cheri Stuart made a motion to choose HDR Engineering Inc. as the Technical Consultant for NETRWPG. Cindy Gwinn seconded that motion. Mr. Thompson then called for a roll call vote from the voting members of the board. Eighteen members voted to keep Carollo Inc. as the Technical Consultant. Three members voted to award the contract to HDR Engineering Inc. By a simple majority vote, Carollo Inc. will remain the Technical Consultant for NETRWPG.

Jim Thompson provided that the next item on the agenda is to review the current NETRWPG Bylaws. No action is required today but they must be reviewed, and outdated information will need to be changed. Kyle Dooley suggested that, as the administrator, he and his staff can update the details of the naming of the administrator in the bylaws to be more generic. In addition, TWDB may be updating the notification processes in May of 2021 leading into the 6<sup>th</sup> planning cycle. A full review of the bylaws will be completed to ensure they are compliant with the enabling legislation. That review will include the generic language surrounding the administrator changes along with the possible update by TWDB to the notification processes. Jim Thompson asked Kyle Dooley to draft up changes to the bylaws as mentioned above. There was no official action taken regarding the bylaws.

Jim Thompson provided that he is of the opinion that the next NETRWPG meeting should be an in-person meeting. He also discussed the issue of meeting time conflicts for himself and a few other board members. He opened the discussion to change the time of day the quarterly meetings are scheduled from 1:00 p.m. to 10:00 a.m. The next NETRWPG meeting date has not been officially decided but should be in mid to late July. Ron Ellis provided information on timing for the next board meeting. He suggests the meeting be held after TWDB meets sometime in June to authorize the negotiation of a funding contract between TWDB and Riverbend. Several board members agreed on meeting in person and moving the meeting time up to earlier in the day. There was no official action taken regarding scheduling meetings.

There were no further public comments.

The meeting was adjourned by Jim Thompson at 2:47 p.m.

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Secretary

Date



**MEETING OF THE  
North East Texas Regional Water Planning Group  
WEDNESDAY, AUGUST 4, 2021**

**Agenda Item 9  
Review of Region D Bylaws**

**Administrative Summary**

This item pertains to reviewing, discussing, and possibly taking action on proposed changes to the current bylaws for the Region D WPG. There is a copy of a red lined version of the current bylaws showing the proposed changes. Staff plans to go through the document and give explanation for each requested change so the board can discuss. While the board can take action in accepting these proposed changes if it chooses, there is no requirement for action at this meeting. After the board discussion of the proposed changes, staff could also make any discussed changes to the document and bring back a final copy for review and action at the next board meeting.

# North East Texas Regional Water Planning Group Bylaws 04/20/98

Prepared for the  
North East Texas Regional Water Planning Group

by the  
Ark-Tex Council of Local Governments

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## ARTICLE I. NAMES

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### Section 1. Organization

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The official name of this organization shall be the "North East Texas Regional Water Planning Group" (hereinafter "NETxRWPG").

### Section 2. Regional Water Planning Area

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The official name of the regional water planning area designated as Region Water Development Area, by the Texas Water Development Board (hereinafter TWDB) in accordance with 31 Texas Administrative Code (hereinafter TAC) Chapter 357 on February 19, 1998, shall be the North East Texas Regional Water Planning Area, (hereinafter NETxRWPA).

## ARTICLE II. ESTABLISHMENT AND PURPOSE

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The NETxRWPG was established by appointment of an initial coordinating body by the TWDB on February 19, 1998, and any subsequent additional appointments by the initial coordinating body. The purpose of the NETxRWPG shall be to provide comprehensive regional water planning and to carry out the related responsibilities placed on regional water planning groups by state law, including Texas Water Code Chapter 16 and TWDB rules, including 31 TAC Chapters 355, 357 and 358, in and for the NETxRWPA.

## ARTICLE III. PRINCIPAL ADMINISTRATIVE OFFICE

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The principal administrative office of the NETxRWPG shall be the principal business offices of ~~The Northeast Texas Municipal Water District~~the political subdivision that is serving as the NETxRWPG's administrator. The administrative officer of the NETxRWPG for purposes of the Texas Open Records Act shall be the ~~General Manager of the Northeast Texas Municipal Water District~~executive administrator of the political subdivision that is serving as the NETxRWPG's administrator. The Chair of the NETxRWPG shall insure that the mailing address and physical address of the principal office and administrative officer are provided to all members of the NETxRWPG and the Executive Administrator of the TWDB.

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## ARTICLE IV. RESPONSIBILITIES

The NETxRWPG shall have the responsibility for performing the functions defined in Texas Water Code, Chapter 16 and in 31 TAC Chapters 355, 357, and 358 related to regional water planning groups for the NETxRWPA. Foremost among those responsibilities shall be the development of a regional water plan for the NETxRWPA that identifies both short and long-term water supply needs and recommends water management strategies for addressing them.

## ARTICLE V. VOTING MEMBERSHIP

### Section 1. Composition

The initial voting members of the NETxRWPG shall include the initial coordinating body appointed by the TWDB on February 19, 1998, plus the additional voting members appointed by the initial coordinating body to ensure adequate representation of the interests comprising the NETxRWPA stated in Texas Water Code 16.053(c), if present, and other interests determined by the NETxRWPG. Thereafter, the voting membership of the NETxRWPG shall include persons added or removed as provided under this Article and any 31 TAC §357.4(g)(4) member selected for voting membership under Article VI.

### Section 2. Terms of Office

All terms of office shall be three years. All persons shall be eligible to serve a maximum of three consecutive terms as a voting member of the NETxRWPG, provided, however, if a member is voted on the board to complete an unexpired term of a resigning board member, that member will be entitled to serve the unexpired term plus a maximum of three consecutive terms. Outgoing members shall be given the opportunity to fully participate in the selection process for their successors and shall serve until their successors take office. The terms of all initial voting members shall expire on September 1, 2001. Upon the expiration of the initial terms, all voting members shall draw lots for additional terms of one, two or three years, such that one third of the voting members, terms will expire in one additional year, an additional third in two years and the final third in three additional years. If there is an odd number of voting members at the time that lots are drawn, one more than one third shall draw lots for the one year terms. No later than ninety calendar days prior to the end of the one year terms, the voting members shall initiate procedures to appoint successors for the voting members drawing one year terms, utilizing the process set forth under Section 4 of this Article. Outgoing voting members shall be given the opportunity to fully participate in the selection process for their successors and shall serve until their successors take office. At the conclusion of the two and three year terms described above, all subsequent terms of office for voting members shall be three years, the goal of staggering the terms of office having been accomplished. All persons shall be eligible to serve a maximum of two consecutive terms as a voting member of the NETxRWPG.

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Page 2

### **Section 3. Conditions of Membership**

In order to be eligible for voting membership on the NETxRWPG, a person must represent the interest for which a member is sought, be willing to participate in the regional water planning process, and abide by these bylaws.

### **Section 4. Selection of Members**

No later than ninety calendar days prior to the expiration of a voting member's term, or within forty-five calendar days of the removal of a voting member, the NETxRWPG may post public notice in a newspaper of general circulation in each county located in whole or in part in the NETxRWPA or post public notice on the NETxRWPG's or political subdivision's Internet website soliciting nominations for a successor, identifying the particular interest for which nominations are sought, stating the conditions of membership, delineating the method for submitting nominations, and establishing a deadline for submission of nominations between thirty and forty-five calendar days from the date that public notice was posted. Members of the NETxRWPG may also submit nominations in the manner prescribed in the public notice.

The Executive Committee shall receive and process the nominations and, no sooner than ten calendar days after the deadline for submitting nominations, shall recommend a nominee to the voting membership as a whole, giving strong consideration to a consensus nominee from those individuals and entities that collectively represent that interest. The Executive Committee shall not be bound by the nominations received and may consider any person who meets the conditions of membership as a nominee. The voting membership as a whole shall not be bound by the recommendation of the Executive Committee and may consider any person who meets the conditions of membership as a nominee.

The voting members shall make a decision for a successor by an affirmative vote of at least two-thirds of the voting members. An affirmative vote of two-thirds of the total voting membership of the NETxRWPG shall be required to appoint a nominee as a new voting member. If voting ~~fails~~ to select a new voting member, the voting members shall consider other nominations until a new member can be selected by an affirmative vote of two-thirds of the voting membership.

In addition to selecting new voting members to fill vacancies caused by removal or the expiration of a term, the voting members may add members to ensure adequate representation of the interests comprising the NETxRWPA. If such a new member is added, the existing voting members shall determine by not less than agreement of two-thirds of the voting membership, the exact applicability of the membership term provisions and restrictions to the new member at the time of the

new member's selection.

In both the consideration of nominees and the selection of new voting members, the Executive Committee and other voting members shall strive to achieve geographic, ethnic, and gender diversity.

Outgoing voting members shall be given the opportunity to fully participate in the selection process for their successors and shall serve until their successors take office. However, no member shall participate in a vote in which he or she is a nominee.

~~Because initial members continue to serve for additional terms of either one, two or three years at the end of their initial terms as set forth under Section 2 of this Article, this Section 4 shall not apply to the regular expiration of the initial terms of the initial members; however, this section shall apply to the selection of a successor for a removed voting member during the initial terms.~~

## **Section 5. Attendance**

All members shall make a good faith effort to attend all NETxRWPG meetings and hearings. Records of attendance shall be kept by the Secretary at all NETxRWPG meetings and hearings and presented as part of the minutes. Voting members of the NETxRWPG that have recorded absences from three consecutive meetings and/or hearings, or at least one-half of the sum of all meetings and hearings in the preceding twelve months, shall be considered to have engaged in excessive absenteeism and shall be subject to removal from membership under Section 7 of this Article. The Chair shall excuse an absence if it is made known to the Chair prior to the beginning of the meeting or hearing that the absence is related to one of the following with supporting documentation made available to the Chair: personal illness, family or urgent business emergency, or jury or military duty. An excused absence will not be recorded as an absence. Representation by a designated alternate does not excuse a member's absence.

## **Section 6. Code of Conduct**

Members and designated alternates of the NETxRWPG shall ethically conduct the business of the NETxRWPG and shall avoid any form or appearance of a conflict of interest, real or apparent, by observing the following:

- (a) No member or designated alternate of the NETxRWPG shall:
  - (1) Solicit or accept gratuities, favors, or anything of monetary value from suppliers or potential suppliers of services, materials, or equipment, including subcontractors under recipient contracts; or

(2) Participate in the selection, award, or administration of a procurement where the member or designated alternate has a financial or other substantive interest in the organization being considered for award. Such conflict may be due to any of the following having a financial or familial relationship with the organization:

- i) the member or designated alternate;
- ii) the members or designated alternates family;
- iii) the members or designated alternate business partner(s); or
- iv) a person or organization that employs, or is about to employ, any of the persons listed in (i)-(iii), above.

(3) Participate in any deliberation, decision, or vote that would constitute a conflict of interest under federal, state, or local law.

(b) Potential conflicts of interest shall be clearly stated by the voting member or designated alternate prior to any deliberation or action on an agenda item with which the voting member or designated alternate may be in conflict. Where the potential conflict is restricted to a divisible portion of an agenda item, the Chair may divide the agenda item into parts, at the Chair discretion, for deliberation and voting purposes. An abstention from participation in deliberations, decisions, or voting and the reasons therefor shall be noted in the minutes.

## **Section 7. Removal of Voting Members**

(a) Grounds for Removal of Voting Members. The following shall constitute grounds for removal of a voting member:

- (1) engaging in excessive absenteeism as defined under Section 5 of this Article;
- (2) death;
- (3) resignation;
- (4) failure to abide by the code of conduct provisions set forth under Section 6 of this Article;
- (5) appointment of a successor by the voting members upon expiration of the member term;
- (6) change in status so that the member no longer represents the interest he or she was selected to represent;
- (7) falsifying documents;
- (8) any other serious violation of these bylaws as may be determined by the voting members; or
- (9) the voting members designated alternate engages in any acts described in subdivisions (4), (7), or (8) of this subsection.

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NETRWPG Minutes for June 17, 1998

Page Three

The selection continued and voting was made on the two teams with the most votes.

Bucher, Willis & Ratliff received 12 votes, and Alan Plummer received 9 votes during this selection process. Bucher, Willis & Ratliff received a majority of the Group.

Motion was made by Ruth Culver, second by Terry Winn to select Bucher, Willis & Ratliff to perform the scope of work for Region D. Motion carried unanimously.

Mr. Ray Flemons, Sr. Vice President made a brief statement and stated his appreciation for being selected to perform the scope of work.

Pursuant to Agenda Item No. 3, motion was made to amend Article V, Section 1. to provide that there will be no more than twenty-three (23) voting members on the full Group. By consensus motion, it was recognized that Ralph Rogers had resigned and that his resignation has been accepted. Motion was made to amend Article VI, Section 1.(b) to provide that within 45 days of adoption of the Bylaws, the NETRWPG shall post notice to solicit nominations for persons to serve as 31 TAC Section 357.4(g)(4) members. All motions made pursuant to Agenda Item No. 3 passed unanimously.

Motion to appoint Mendy Rabicoff as Liaison to Region I was made by David Parsons, second by Terry Winn. Motion carried unanimously.

Motion to appoint Ed Withers as Liaison to Region C was made by Mike Huddleston, second by Bill Rice. Motion carried unanimously.

Motion to appoint the following non-voting members who have headquarters outside Region D but who have at least 1,000 acre feet of water rights inside Region D:

Sam Collins — Sabine River Authority  
Robert Mansell — North Texas Municipal Water District  
W. David Ryburn — City of Irving  
Larry N. Patterson — City of Dallas  
Winston Holley - SWEPCO

Motion was made by Sue Ann Harting, second by John Bradley. Motion carried unanimously.

Motion was made by Gary Jackson, second by Vernon Rowe, to appoint James A. Withaeger, as a non-voting member representing U. S. Army Corps of Engineers, a Federal Agency.

(b) Process for Removing Voting Members. Voting members may be removed at any time for any of the grounds for removal of voting members set forth in subsection (a) of this section. Any member with knowledge or suspicion that a voting member or designated alternate has engaged in acts or that events have occurred constituting a ground for removal under subsection (a) of this section shall report such information or suspicion to the Chair. The Chair, upon discovering or receiving such information, shall make a written request to that member for an explanation as to why he or she should not be removed from voting membership. The member shall make written response to the Chair within fifteen calendar days from the date of receipt of the Chair request. Within five calendar days of receipt of the members response, the Chair shall forward copies of the response to the voting members. If the Chair continues to suspect that a ground for removal may exist, if the member fails to make a timely response to the Chair request, or if a voting member requests its inclusion on the agenda after reviewing the written response from the accused member, the Chair shall place an item on the next subsequent meeting agenda calling for the removal of the member. At the meeting, the member subject to the possible removal action may present evidence of why he or she should not be removed. The voting members may remove the member by not less than agreement of two-thirds of the voting membership. The member subject to the removal action shall not participate in any way in the removal decision, nor shall his or her membership count as part of the total voting membership for purposes of calculating a two-thirds vote.

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## ARTICLE VI. NON-VOTING MEMBERSHIP

### Section 1. Mandatory Members

(a) The voting members of the NETxRWPG shall add the non-voting members set forth in 31 TAC §357.4(g)(1)-(g)(3) and accept the designees appointed by the entities set forth therein. Such designees shall have no terms of office and shall serve until replaced by the designating entity. However, if the voting members decide by not less than agreement of two-thirds of the voting membership, that a particular designee is hindering the regional water planning efforts of the NETxRWPG, the Chair shall make a written request within ten calendar days to the entity requesting the designation of another person to serve as the entity's designee.

(b) The voting members of the NETxRWPG shall add at least one non-voting member as set forth in 31 TAC §357.4(g)(4). Within thirty calendar days of adoption of these bylaws, or within forty-five calendar days of the removal of a 31 TAC §357.4(g)(4) member, the NETxRWPG ~~shall~~ may post public notice in a newspaper of general circulation in each county located in whole or in part in the



NETxRWPA or post public notice on the NETxRWPG's or political subdivision's Internet website, soliciting nominations for persons to serve as a 31 TAC §357.4(g)(4) member, stating the conditions of membership, delineating the method for submitting nominations, and establishing a deadline for submission of nominations between thirty and forty-five calendar days from the date that public notice was posted, ~~of no later than twenty-one calendar days from the date notice was posted~~. Members of the NETxRWPG may also submit nominations in the manner prescribed in the public notice.

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The Executive Committee shall receive and process the nominations and, after the deadline for submitting nominations, shall recommend a nominee to the voting membership as a whole, giving strong consideration to a consensus nominee from those individuals and entities that collectively represent the interest as described in 31 TAC §357.4(g)(4). The Executive Committee shall not be bound by the nominations received and may consider any person who meets the conditions of membership as a nominee. The voting membership as a whole shall not be bound by the recommendation of the Executive Committee and may consider any person who meets the conditions of membership as a nominee.

The voting members shall make a decision for a new member or successor by an affirmative vote of at least two-thirds of the voting members. An affirmative vote of two-thirds of the total voting membership of the NETxRWPG shall be required to appoint a nominee as a non-voting 31 TAC §357.4(g)(4) member. If voting fails to select a member, the voting members shall consider other nominations until a 31 TAC §357.4(g)(4) member can be selected by an affirmative vote of two-thirds of the voting membership.

Once selected, a 31 TAC §357.4(g)(4) non-voting member shall have no term of office and shall serve until removed by the voting members by not less than an affirmative vote of two-thirds of the voting membership.

(c) The voting members may at any time, including the time of initial selection of a 31 TAC §357.4(g)(4) member, convert the membership of a 31 TAC §357.4(g)(4) non-voting member into a voting membership by a two-thirds vote of the voting membership. If selected to be a voting member, a 31 TAC §357.4(g)(4) member shall have the rights, duties, terms, conditions, and other privileges and obligations of regular voting members. The voting members, excluding the 31 TAC §357.4(g)(4) member subject to the possible membership conversion, shall determine the exact applicability of the membership term provisions and restrictions to the 31 TAC §357.4(g)(4) member at the time of such conversion by not less than agreement of two-thirds of the voting membership.

(d) The voting members, excluding the 31 TAC §357.4(g)(4) member subject to the possible membership conversion, may at any time convert the membership of a

31 TAC §357.4(g)(4) voting member into a non-voting membership, by not less than an affirmative vote of two-thirds of the voting membership, not including the voting membership of the 31 TAC §357.4(g)(4) member subject to the possible membership conversion.

## **Section 2. Discretionary Members**

The voting members of the NETxRWPG may add or remove as a non-voting member an entity set forth in 31 TAC §357.4(h) by two-thirds vote of the voting membership. If an entity is added, the Chair shall make a written request within ten calendar days to the entity requesting the designation of a person to serve as the entity's designee. Such designees shall have no terms of office and shall serve until replaced by the designating entity or until the entity is removed as a nonvoting member. However, if the voting members determine by a two-thirds vote of the voting membership that a particular designee is hindering the regional water planning efforts of the NETxRWPG and that the entity should remain as a nonvoting member, the Chair shall make a written request within ten calendar days to the entity requesting the designation of another person to serve as the entity's designee.

## **Section 3. Code of Conduct**

All non-voting members shall comply with the code of conduct provisions under Section 6 (Conflict of Interests) of Article V of these bylaws.

# **ARTICLE VII. DESIGNATED ALTERNATES**

Each member shall designate an alternate to represent him/her when he/she is unable to attend a meeting or hearing. Each member must notify the Chair in writing of the name and address of the members designated alternate at least forty-eight hours prior to the first meeting or hearing 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 NETxRWPG 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.~~

## ARTICLE VIII. OFFICERS

### Section 1. Officers, Restrictions, and Terms of Office

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Voting members of the ~~Next-NETx~~ RWPG shall select from the voting membership a Chair, Vice Chair, and Secretary/Treasurer to serve as officers. Each officer shall serve a term of one calendar year. However, the terms of the initial officers selected under Section 2 of this Article shall expire when the regular officers take office as provided under this Article. Except as provided under Section 4 of this Article, an officer shall serve until his or her successor takes office. Elections shall be held annually, with no restrictions on the number of consecutive terms an individual may serve as an officer other than those that apply because of his or her status as a voting member under these bylaws.

### Section 2. Selection

(a) Initial Officers. Within twenty eight days after the adoption of these bylaws, the voting members shall select initial officers. Nominations shall be made from the floor by voting members. The voting members shall select officers from among the nominees by not less than agreement of two-thirds of the voting members present.

(b) Regular Officers. Regular officers shall be selected at the first meeting of each calendar year after the calendar year in which these bylaws were adopted. Written notice of the meeting to select officers shall be mailed or emailed to all members of the NETxRWPG by the current Secretary thirty calendar days prior to the meeting. Nominations shall be made from the floor by voting members. The voting members shall select officers from among the nominees by not less than agreement of two-thirds of the voting members present.

### Section 3. Removal of Officers

Any officer may be removed from office for any of the grounds for removal of voting members set forth under Article V of these bylaws, or for repeated failure to carry out the duties of the office, by but not less than agreement of two-thirds of the voting members present. Removal of an officer shall be set as an agenda item

at the next scheduled meeting upon written request signed by five voting members to the Chair or Secretary. The Chair or Secretary receiving the request shall notify the officer in writing that he or she shall be subject to a removal action at the next scheduled meeting. At the meeting, the officer subject to the possible removal action may present evidence of why he or she should not be removed. If the Chair is the subject of the possible removal action, the Vice-Chair shall preside over the meeting during the agenda item concerning the Chair's removal. The officer subject to the removal action shall not participate in any way in the removal decision, nor shall his or her membership count as part of the total membership for purposes of calculating a two-thirds vote. The notice of the meeting shall be posted in accordance with the Open Meetings Act and shall state that the issue of possibly removing the officer will be on the agenda. Any vacancy caused by the removal shall be filled as provided under Section 4 of this Article.

#### **Section 4. Vacancies of Officers**

Whenever an officer vacancy exists because of death, resignation, or removal, the vacancy shall be filled within thirty days of the event causing the vacancy. Nominations shall be made from the floor by voting members. The voting members shall select a replacement officer from among the nominees by not less than agreement of two-thirds of the voting members present. The next highest ranking officer shall serve in the vacant position until a successor takes office, unless the office of the Secretary becomes vacant, in which case the Chair shall appoint a willing voting member to serve as Secretary until the successor to the Secretary takes office. The person selected to fill a vacancy for an officer shall serve for the unexpired term of his or her predecessor in office.

#### **Section 5. Duties of Each Officer**

(a) Chair. The Chair shall be the executive officer of the NETxRWPG. The Chair will preside at all meetings of the NETxRWPG and perform all duties provided by these bylaws. If the Chair is unable to carry out his/her duties, the Vice Chair shall assume the duties of the Chair.

(b) Vice Chair. The Vice Chair shall assist the Chair in the discharge of his/her duties and, in the absence of the Chair, shall assume the Chair's full responsibilities and duties. In the event the Chair is unable to carry out his/her duties, the Vice Chair shall serve as Chair until the NETxRWPG elects a new Chair under Section 4 of this Article. The Vice-Chair shall perform other duties as assigned by the Chair, or these bylaws.

(c) Secretary/Treasurer. The Secretary/Treasurer shall maintain the minutes and take attendance of the NETxRWPG meetings. The minutes and attendance shall

be kept as part of the NETxRWPG official records. The Secretary/Treasurer shall insure that all notices are properly posted as provided in the bylaws, as required by law, and as required by the Texas Open Meetings Act. The Secretary/Treasurer shall maintain a record of revenues and expenses sufficient to meet state auditor requirements, under the Uniform Grant Administration Management Standards (UGAMS) and perform other duties as assigned by the Chair or these bylaws. If the both the Chair and Vice Chair are unable to carry out the duties of the Chair, the Secretary/Treasurer shall assume the duties of the Chair.

### **Section 6. Executive Committee**

The Executive Committee shall be composed of five NETxRWPG members, including the Chair, Vice Chair, Secretary/Treasurer, and two members-at-large. 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. Members-at-large shall be removed and their vacancies filled in the manner prescribed for officers under this Article.

The Executive Committee shall be responsible for carrying out the duties imposed on it in these bylaws. The voting members of the NETxRWPG may delegate any administrative decisions to the Executive Committee unless provided otherwise in these bylaws.

All meetings of the Executive Committee shall comply with the provisions related to meetings generally as set forth in Article IX of these bylaws.

### **Section 7. Designated Alternates**

A designated alternate of a member serving as an officer shall not serve in the member's capacity as an officer in lieu of the member. When an officer is absent or otherwise unable to serve, the next highest ranking officer shall serve for the officer. If no lower ranking officer exists or can serve, then a member designated by the Chair or acting Chair shall serve for the officer.

## **ARTICLE IX. MEETINGS**

### **Section 1. Open Meetings and Notice**

All meetings of the NETxRWPG, its committees and/or sub-groups, shall be posted and open to the public in the manner of a governmental body under the Texas Open Meetings Act and as set forth in TWDB rules. All actions of the NETxRWPG shall be deliberated and undertaken in open meeting, unless otherwise authorized by the Texas Open Meetings Act. The time and place of

meetings shall be set to facilitate, to the greatest extent possible, the participation of the public in the regional water planning process. Copies of all materials presented or discussed shall be made available for public inspection prior to and following any meeting of the NETxRWPG.

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## Section 2. Regular Meetings

The NETxRWPG shall meet on a regular basis. At the first meeting after the adoption of these bylaws and the first meeting of each calendar year thereafter, the NETxRWPG shall establish and adopt a meeting schedule for the ensuing year. The Secretary shall insure that an advance notice and an agenda for regular meetings will be provided to the full membership of the NETxRWPG at least ~~seventy-two (72) hours~~ seven days in advance by first class U.S. Mail, facsimile, or electronic mail. Supporting information and member-requested materials shall be distributed to the full membership ~~with the notice and agenda or at the meeting, as deemed appropriate by the Chair~~ at least three days prior to each meeting.

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## Section 3. Called (Special) Meetings

The Chair or a majority of the voting members of the NETxRWPG may call special meetings of the NETxRWPG. The Secretary shall insure that advance notice and an agenda for the called meeting is provided to the full membership of the NETxRWPG at least ~~seven days~~ ~~seventy-two (72) hours~~ in advance by first class U.S. Mail, facsimile, or electronic mail. Supporting materials for the meeting may be forwarded to each member ~~at least three days prior to each meeting, as deemed appropriate by the Chair.~~ at least three days prior to each meeting.

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## Section 4. Agenda

The Secretary of the NETxRWPG shall insure that an agenda is prepared and distributed for all meetings, in accordance with Sections 2 and 3 of this Article. Items shall be placed on the agenda by the request of the Chair or by the request of at least three voting members of the NETxRWPG. Consideration for approval of the previous meetings minutes, as applicable, shall always be among the first items on the agenda. Copies of the agenda and all supporting information shall be made available for public inspection prior to and following any meeting of the NETxRWPG.

## Section 5. Quorum

A quorum of the NETxRWPG shall be a simple majority of the voting members or their designated alternates excluding vacancies. At minimum, a quorum shall be necessary to conduct any business of the NETxRWPG. No actions requiring a

two-thirds vote of the voting membership shall be taken during a regular business session, unless at least three ~~forths~~fourths of the voting membership is present.

## **Section 6. Applicability of Robert's Rules of Order**

Except as otherwise provided in these bylaws, meetings of the NETxRWPG shall be conducted under the provisions of the most current edition of *Robert's Rules of Order*. However, failure to follow such rules shall not constitute grounds for appeal of an action or a decision of the NETxRWPG.

## **Section 7. Public Hearings/Meetings Required By Law**

The NETxRWPG shall post notice and conduct public hearings and public meetings that are specifically required by statute and/or TWDB rule, including those set forth for preplanning, draft regional water plan presentation, adoption of amendments to the regional water plan, and final regional water plan adoption, in accordance with the requirements of the relevant state law and/or TWDB rules. Notification requirements may be different than those specified in Section 1 of this Article and are specifically delineated in Texas Water Code 16.053 and/or 31 TAC §357.12.

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## **Section 8. Minutes**

(a) The Secretary shall insure that minutes of all meetings of the NETxRWPG are prepared. The minutes shall:

- (1) state the subject of each deliberation;
- (2) indicate each vote, order, decision, or other action taken;
- (3) indicate those members in attendance, noting the presence of a quorum, and noting the presence of those members of the public who participate in the course of the meeting;
- (4) represent an accurate summary of the meeting record; and state any other information required by these bylaws to be included in the minutes.

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(b) The Secretary shall insure that true copies of the minutes are provided to the full membership as soon as possible following the meeting, but no later than prior to the next regular meeting of the NETxRWPG.



## ARTICLE X. MAKING DECISIONS

### Section 1. Applicability; No Written Proxies

(a) Unless the method for making a particular decision is set forth in these bylaws, the NETxRWPG, its committees, and subgroups shall make all decisions utilizing the process set forth in Section 2 of this Article.

(b) Written proxies shall not be allowed in any decision-making by the NETxRWPG, its committees, or its subgroups. However, designated alternates shall be allowed to participate in decision making as set forth in these bylaws. Because it is important in achieving agreement for all members to participate actively, keep up-to-date on the progress of the group, and develop a common base of information, members shall in good faith attempt to minimize the number of times they are absent from meetings or are represented by their designated alternates.

### Section 2. Decision-Making Process

(a) The NETxRWPG shall make decisions using a voting process based upon a show of hands. Secret written ballots shall not be allowed during an open session.

(b) Failure to Reach Agreement. If after good faith negotiations it appears likely to the Chair that the voting members will be unable to reach full agreement, the Chair shall entertain the following:

a motion and a second to put the issue to a vote to be conclusively decided by an affirmative vote of not less than fifty-one percent of the voting members present.

### Section 3. Methods to Resolve Disputes

(a) The Northeast Texas RWPG shall use methods to resolve disputes between regional water planning group members on matters coming before the regional water planning group. The method that will first be used is resolution of the dispute by consensus. If the consensus method fails to resolve the dispute, then the method used to resolve the dispute shall be by vote of the voting members of the Northeast Texas RWPG. Resolution by the voting method shall be by majority vote unless otherwise provided by an applicable section of the Bylaws or applicable law. This section should be construed as satisfying or exceeding any requirement described in 31 TAC Section §357.4(K)(6).

## **Section 4. Final Adoption of Regional Water Plan; Amendments**

The voting members of the NETxRWPG shall finally adopt the regional water plan for the NETxRWPA, and any amendments thereto by not less than agreement of two-thirds of the voting membership.

# **ARTICLE XI. BOOKS AND RECORDS**

## **Section 1. Required Documents and Retainment**

Records of the NETxRWPG, including: a current membership list with addresses, affiliations, and phone numbers, if not unlisted; the current roster of officers; a copy of the written record of designation of the political subdivision(s) as representative(s) of the NETxRWPG; minutes; agendas; notices; contracts, subcontracts, annual financial statements, and any and all financial records and supporting information; bylaws; records of public hearing; correspondence; memoranda; phone logs; committee or subgroup recommendations or findings; draft and final plans; studies; data of any sort; computer records or models; executive summaries; other work products; and any other pertinent information of a public nature shall be kept at the principal office of the NETxRWPG for a period of at least five years.

## **Section 2. Inspection and Copying**

Records of the NETxRWPG shall be available for inspection and copying at the principal place of business of the representative political subdivision (Administrative Entity) during normal business hours. Procedures and fees for copying and inspection shall be the same as those used by the political subdivision housing the principal office of the NETxRWPG for inspection and copying of its own public records.

## **Section 3. Availability of Reports**

All reports, planning documents, and work products resulting from projects funded by the TWDB shall be made available to the TWDB, the Texas Parks and Wildlife Department, and the Texas Natural Resource Conservation Commission or their successor agencies. At least one copy of the approved regional water plan

shall be placed in the county clerk's office for each county and in at least one public library of each county having land within the NETxRWPA, in accordance with state law.

## ARTICLE XII. COMMITTEES

### Section 1. Establishment

The NETxRWPG may by motion establish committees and subgroups to assist and advise the NETxRWPG in the development of the regional water management plan. The committee or subgroup may be formed to address specific issues assigned by the NETxRWPG and may have a specified term of membership.

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### Section 2. Membership

Membership in the committees and subgroups shall generally follow the requirements and procedures of Article V of these bylaws; membership of the committees and subgroups should be inclusive, rather than exclusive in nature; the interests identified in the initial coordinating body will be invited to participate, as well as other interests that have been identified. Appointment to committees or subgroups shall be made by not less than agreement of two-thirds of the voting membership. The terms of office for all members of committees and subgroups shall be either upon the expiration of the term, if any, specified by the NETxRWPG in the establishing motion for the committee or subgroup, or upon the expiration of the person's membership in the NETxRWPG.

### Section 3. Officers

The Chair, Vice-chair, and Secretary of a committee or subgroup established by the NETxRWPG shall be selected from the duly-elected members of the respective committee or subgroup. The Chair, Vice Chair, and Secretary of the committee or subgroup established by the NETxRWPG shall be elected to their respective offices by a majority affirmative vote of the members of the committee or subgroup. Additional committee or subgroup officers with associated responsibilities may be created as necessary by a majority affirmative vote of the members of the committee or subgroup. The additional officers shall be elected by a majority affirmative vote of the members of the committee or subgroup.

### Section 4. Meetings

Requirements and procedures for committee or subgroup meetings shall follow those established in Article IX of these bylaws, including requirements for notice. Committees or subgroups may adopt their own rules of procedure, if authorized by

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the NETxRWPG and the rules are not in conflict with state law, TWDB rules, or these bylaws.

### **Section 5. Books And Records**

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Requirements and procedures for committee or subgroup books and records shall follow those established for the NETxRWPG in Article XI of these bylaws.

### **Section 6. Code of Conduct**

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Members of a committee or subgroup are subject to the requirements of Article V, Section 6 of these bylaws.

## **ARTICLE XIII. COMPENSATION**

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Members of the NETxRWPG are not to be compensated for their expenses by the State of Texas. All travel expenses may be documented by the members and submitted to the political subdivision designated by the NETxRWPG to apply to TWDB for funding. The political subdivision contracting with the TWDB for the NETxRWPG shall compile the travel information from the members, which will be counted as an in-kind expense at the state rate that is in effect at the time the travel occurred.

## **ARTICLE XIV. COST ALLOCATION**

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The voting members of the NETxRWPG shall develop and approve an equitable method or formula for the allocation of costs associated with the local match for state funding.

## **ARTICLE XV. CONTRACTUAL SERVICES**

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The voting members of the NETxRWPG shall make all decisions related to final approval of persons or entities selected by an eligible applicant to provide contractual services for the NETxRWPG, including all services related to preparation, development, or revisions of the regional water plan for the NETxRWPA. However, the voting members may delegate to the Executive Committee the authority to make administrative decisions concerning amendments to TWDB Research and Planning Fund grant contracts for services related to regional water planning, except those decisions concerning amendments related to scopes of work and budgets.

## **ARTICLE XVI. ADOPTING AND AMENDING THE BYLAWS**

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These bylaws shall have full force and effect upon approval and adoption by the voting members of the NETxRWPG, acting on behalf of the interests comprising the NETxRWPA, and upon submission to the TWDB in compliance with 31 TAC §357.4. The voting members shall adopt these bylaws and any amendments thereto by not less than agreement of two-thirds of the voting membership.

## **ARTICLE XVII. RESOLUTION ADOPTING BYLAWS**


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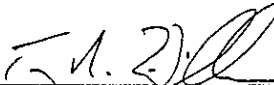
WHEREAS, no bylaws have been adopted governing the conduct of the internal affairs of the NETxRWPG; and

WHEREAS, the set of bylaws presented to this meeting are suitable for the purpose and their adoption is in the best interests of the NETxRWPG; it is, therefore,

RESOLVED, that the members of the NETxRWPG this 20<sup>th</sup> day of April 1998, approve and adopt the bylaws presented to this meeting of members as the bylaws of the NETxRWPG; and it is

FURTHER RESOLVED, that the bylaws be authenticated as such by the Secretary of the NETxRWPG and placed in its minute book, and that a full and true copy of the bylaws, certified by the Secretary, be kept at the principal office of the NETxRWPG for inspection by members or the public at all reasonable times during business hours.

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Chairman

**MEETING OF THE  
North East Texas Regional Water Planning Group  
WEDNESDAY, AUGUST 4, 2021**

**Agenda Item 10  
Appointments for Expiring Voting  
Member's Terms**

## **PUBLIC NOTICE FOR EIGHT TERMS STARTING IN SEPTEMBER OF 2021**

Notice is given that the North East Texas Regional Water Planning Group (NETRWPG) is accepting nominations for positions to serve as voting members. Due to the expiring terms of eight positions, appointments will be made for each of the eight terms. State law and the Bylaws of the NETRWPG require diversity in the membership of the NETRWPG. Section 16.053 of the Texas Water Code lists the required interest groups and the requirement that the regional planning groups maintain adequate representation from those interests. Due to existing overlap, members can be selected from any interest group. To achieve geographical diversity on a county level, selection for terms starting September of 2021, at least one member must come from the following counties: Rains, Hopkins, Lamar, Smith, Van Zandt, and Hunt. The effort to strive to achieve geographical diversity is found in Article V, Section 4 of the NETRWPG Bylaws. Terms are expiring for positions held by Wade Bartley, Sharron Nabors, Joe Coats, Jim Thompson, Bob Staton, Dennis Hilliard, Cheri Stuart, and Brandon Belcher. In this selection process, NETRWPG will strive to achieve interest group, geographic, ethnic, and gender diversity. To be eligible, a person must be qualified as set forth in the NETRWPG Bylaws. The conditions of membership are set forth in the NETRWPG Bylaws. Term limits are established in the Bylaws. Due to term limits, the persons with expiring terms in 2021 who are not eligible for reappointment are Bob Staton, Dennis Hilliard, and Cheri Stuart. This method for submission of nominations shall be to submit nominations to the principal administrative office of the NETRWPG. The mailing address for such office is Riverbend Water Resources District, 228 Texas Ave. Suite A, New Boston, Texas 75570. The deadline for submission is July 3, 2021.



	2021				Term Limited		
	Expiring Terms	Initial Term Began	New Electee & Start Date	Elected for another term		County	Interest Group
**	Bob Staton	September-2015			September-2021	Smith	Agriculture
**	Dennis Hilliard	September-2015			September-2021	Van Zandt	Agriculture
**	Cheri Stuart	September-2015			September-2021	Bowie	Industries
	Wade Bartley	August-2018			August-2024	Hopkins	Counties
	Sharron Nabors	August-2018			August-2024	Lamar	Agriculture
	Joe Coats	*				Cass	Environmental
	Jim Thompson	*				Bowie	Public
	Brandon Belcher	August-2018			August-2024	Hunt	Environmental

\* Joe Coats and Jim Thompson both replaced others and are finishing an expiring term. They are still eligible to serve two full terms.

Nominee	Comment	Second Term	Nominated By	County	Interest Group
Andy Easley	Email from Hopkins County Commissioners Court		Hopkins County	Hopkins	Counties
Sharron Nabors	Reappoint Self	Yes	Self	Lamar	Agriculture
Joe Coats	Reappoint Self		Self	Cass	Environmental
Jim Thompson	Reappoint Self		Self	Bowie	Public
Brandon Belcher	Reappoint Self	Yes	Self	Hunt	Environmental
Howdy Lisenbee	Email from Bobby Stovall-Hunt County Judge		Bobby Stovall	Hunt	Municipalities
Richard Garza	Nominated by Dennis Hilliard		Dennis Hilliard	Van Zandt	Agriculture
Billy D. Henson	Email from Cindy Gwinn and call by Cheri Stuart		Cindy Gwinn	Bowie	Industries

### **Term Limits Denoted by \*\***

Due to existing overlap, members can be selected from any interest group

To achieve geographical diversity on a county level at least one member must come from the following counties:  
Rains, Hopkins, Lamar, Smith, Van Zandt, Hunt