

Region 14  
Upper Rio Grande  
Flood Planning  
Regional Group

## **REGION 14. - UPPER RIO GRANDE**

### **FLOOD PLANNING GROUP GENERAL MEETING**

March 16, 2021  
10:30 AM (MST)

Chairman: Omar L. Martinez

Region 14  
Upper Rio Grande  
Flood Planning  
Regional Group

**DISCUSS WITH ACTION AS APPROPRIATE ON THE  
FOLLOWING ITEMS:**

1. Welcome and call to order

Region 14  
Upper Rio Grande  
Flood Planning  
Regional Group

**DISCUSS WITH ACTION AS APPROPRIATE ON THE  
FOLLOWING ITEMS:**

## 2. Recognition of guests

Region 14  
Upper Rio Grande  
Flood Planning  
Regional Group

**DISCUSS WITH ACTION AS APPROPRIATE ON THE  
FOLLOWING ITEMS:**

### 3. Member updates

Region 14  
Upper Rio Grande  
Flood Planning  
Regional Group

**DISCUSS WITH ACTION AS APPROPRIATE ON THE  
FOLLOWING ITEMS:**

4. Review and approve the minutes for the meeting held on January 21, 2021

Region 14  
Upper Rio Grande  
Flood Planning  
Regional Group

**DISCUSS WITH ACTION AS APPROPRIATE ON THE  
FOLLOWING ITEMS:**

5. Review and approve recommendations from the Executive Committee members for the required member positions for River Authorities and Water Utilities

Region 14  
Upper Rio Grande  
Flood Planning  
Regional Group

**DISCUSS WITH ACTION AS APPROPRIATE ON THE  
FOLLOWING ITEMS:**

A total of 2 nominations were submitted to the Rio Grande Council of Governments

- Gisela Dagnino, P.E.  
Engineering Division Manager  
El Paso Water Utilities, El Paso, Texas
- Levi Bryand, E.I.T.  
Water Resources and Land Development Engineer  
Landgraf Crutcher & Associates, Inc., Odessa, Texas

Region 14  
Upper Rio Grande  
Flood Planning  
Regional Group

**DISCUSS WITH ACTION AS APPROPRIATE ON THE  
FOLLOWING ITEMS:**

## 6. TWDB - Updates and Presentation



Region 14  
Upper Rio Grande  
Flood Planning  
Regional Group

**DISCUSS WITH ACTION AS APPROPRIATE ON THE FOLLOWING ITEMS:**

7. Consider designating a Liaison from Region 15 – Lower Rio Grande Regional Flood Planning Group to serve as a non-voting member as required per §361.11(f)(8) of the Texas Administrative Code

Region 14  
Upper Rio Grande  
Flood Planning  
Regional Group

**DISCUSS WITH ACTION AS APPROPRIATE ON THE  
FOLLOWING ITEMS:**

8. Consideration of appropriate changes to the Region 14 Bylaws

Region 14  
Upper Rio Grande  
Flood Planning  
Regional Group

**DISCUSS WITH ACTION AS APPROPRIATE ON THE  
FOLLOWING ITEMS:**

9. Schedule Pre-Planning Meeting as required by TWDB

Region 14  
Upper Rio Grande  
Flood Planning  
Regional Group

**DISCUSS WITH ACTION AS APPROPRIATE ON THE  
FOLLOWING ITEMS:**

10. Update on Request for Qualifications  
for Technical Consultant

Region 14  
Upper Rio Grande  
Flood Planning  
Regional Group

**DISCUSS WITH ACTION AS APPROPRIATE ON THE  
FOLLOWING ITEMS:**

**11. General public comments**

Region 14  
Upper Rio Grande  
Flood Planning  
Regional Group

**DISCUSS WITH ACTION AS APPROPRIATE ON THE  
FOLLOWING ITEMS:**

12. Consider date and agenda items for  
next meeting

Region 14  
Upper Rio Grande  
Flood Planning  
Regional Group

**DISCUSS WITH ACTION AS APPROPRIATE ON THE  
FOLLOWING ITEMS:**

**13. Adjourn**

**Meeting Minutes**  
**Region 14 Upper Rio Grande Flood Planning Group Meeting**  
**Thursday, January 21, 2021**  
**9:00 AM**  
**GoToWebinar Virtual Meeting**

<u>Voting Member</u>	<u>Interest Category</u>	<u>Present (x) / Absent ( ) / Alternate Present (*)</u>
Oscar D. "Jay" Ornelas	<i>Agricultural interests</i>	X
Gilberto Saldana Jr.	<i>Counties</i>	X
Jessica Christianson	<i>Electric generating utilities</i>	
Jeff Bennett	<i>Environmental interests</i>	X
Vacant	<i>Flood districts</i>	
Sal Masoud	<i>Industries</i>	X
Javier Acosta	<i>Municipalities</i>	X
David "Dave" Hall	<i>Public</i>	X
Vacant	<i>River authorities</i>	
Rene Rodriguez	<i>Small business</i>	
Omar L. Martinez	<i>Water districts</i>	X
Vacant	<i>Water utilities</i>	

<u>Non-voting Member</u>	<u>Agency</u>	<u>Present(x)/Absent( )/ Alternate Present (*)</u>
James Weaver	Texas Parks and Wildlife Department	X
Tim Frere	Texas Division of Emergency Management	X
Larissa Place	Texas Department of Agriculture	
Ben Wilde	Texas State Soil and Water Conservation Board	X
Sarah Douglas	General Land Office	X
Richard Bagans	Texas Water Development Board (TWDB)	X
Anita Keese	Texas Commission on Environmental Quality	X

<u>Others Present:</u>	
James Bronikowski (TWDB)	Justin Lennon
Reem Zoun (TWDB)	Kelly Dillard, Walter P. Moore
Annette Gutierrez (RGCOG)	Michael Ramirez
Andrew Smith	Morgan White
Allison Wood, Huitt-Zollars	Rene Franks
Anita Machiavello	Rohit Goswami, WSP, USA
Art Reinhardt	Sara Eatman
Ben Wilde	Scott Hubley
G Martinez	Stephanie Castillo
Gisela Dagnino	Steve Gonzales
Gustavo Sosa	Tiffany Cartwright, Walter P. Moore
Guillermo Martinez	Tony Smith
Heather Harris	Wade Barnes
James Weaver	Jennifer Herrera, WSP, USA



**1. Welcome and call to order**

Chairman Omar Martinez welcomed the group and confirmed that a quorum was present. The meeting started at 9:01 am.

**2. Recognition of guests and designated alternates**

Chairman Martinez recognized guests and mentioned the flood planning group does not have designated alternates at this time.

**3. Member updates**

Chairman Martinez asked if the flood planning group members had any updates to share. There were no updates provided by the group.

**4. Review and approve the minutes for the meeting held on November 5, 2020.**

Dave Hall made a motion to accept the Minutes with the exception of revising item 14 to include the January 21, 2021, date and include the Secretary's name for signature once that position is chosen. Sal Mousad seconded the motion. Chairman Martinez called for a vote and the motion was approved unanimously.

**5. TWDB- Updates and Presentation**

Richard Bagans, Planner, Regional Flood Planning, Texas Water Development Board, provided updates and a presentation to the group.

**6. Consider nominating and electing Vice Chair and Secretary**

Dave Hall made a motion to nominate Jeff Bennett as the Vice-Chair. Omar Martinez seconded the motion. Chairman Martinez called for a vote and the motion was approved unanimously.

Sal Masoud made a motion to nominate Javier Acosta as the Secretary. Gilbert Saldana seconded the motion. Chairman Martinez called for a vote and the motion was approved unanimously.

**7. Consider nominating and electing member(s)-at-large to serve on the Executive Committee**

Omar Martinez made a motion to nominate Dave Hall to the Executive Committee as an at-large member. Sal Masoud seconded the motion. Chairman Martinez called for a vote and the motion was approved unanimously.

Gilbert Saldana made a motion to self-nominate himself to also serve on the executive committee. Jay Ornelas seconded the motion. Chairman Martinez called for a vote and the motion was approved unanimously.

**8. Discussion on required member training on the Open Meetings Act and Public Information Act**

Annette Gutierrez, Rio Grande Council of Governments (RGCOG), informed the group that all should go through the training offered by the Texas Attorney General's Office. She also stated she would send the link to where the video could be viewed.

**9. Update on URGFPG solicitation process for individuals to fill required member positions (River authorities, Water utilities)**

Annette Gutierrez, RGCOG, informed the group the nominations will be due February 22<sup>nd</sup> and the Executive Committee will be able to review and recommend their nominations no sooner than ten calendar days after the deadline for submitting nominations to the general membership.

**10. Update on the status of Regional Flood Planning Grant contract with TWDB**

Annette Gutierrez, RGCOG, informed the group that RGCOG was submitting their grant application to the TWDB on January 21, 2021. Ms. Gutierrez also mentioned of the entire \$1,081,800 available for the region, \$60,000 can be used to cover administrative expenses.

**11. Consider a means by which the URGFPG will develop and host a public website (required per §361.21(b))**

Annette Gutierrez, RGCOG, informed the group she would prefer to use the water planning group website for the flood planning group as well. Ms. Gutierrez stated she would bring back additional information at the next meeting for this initiative.

**12. Discussion and consider taking action on group policies for handling public comments.**

Chairman Martinez asked for Annette Gutierrez, RGCOG, to provide the proposed group policies for handling public comments. Ms. Gutierrez provided the following information.

- If you wish to provide written comments prior to or after the meeting, please email your comments to [annette@riogcog.org](mailto:annette@riogcog.org) and include "Region 14 Upper Rio Grande Flood Planning Group Meeting" in the subject line of the email.
- If you wish to provide oral public comments at the meeting, please submit a request via email to [annette@riogcog.org](mailto:annette@riogcog.org) in advance of the meeting.
- Additional information may be obtained from: Rio Grande Council of Governments; 8037 Lockheed, Ste 100, El Paso, TX 79925 or via email at [annetteg@riocog.org](mailto:annetteg@riocog.org).

Sal Masoud made a motion to approve and Jay Ornelas seconded the motion. Chairman Martinez called for a vote and the motion was approved unanimously.

**13. Consider a means by which the URGFPG will accept written public comment prior to and after meetings (required per §361.21(c)).**

No action was taken.

**14. Discussion of the required solicitation for persons or entities who request to be notified of URGFPG activities (required per §361.21(e)).**

Annette Gutierrez, RGCOG, informed the group through the gotomeeting software, she has been able to capture those who are in attendance. She can then create a list serve to inform interested parties of the group's activities. Secondly, she mentioned she could add additional information on the website so they can follow. She also said she can email the region's county clerks, judges and water entities.

**15. Discussion and consider taking action on allowing the RGCOG to accept annual supplemental funds for the URGFPG from willing local entities.**

Chairman Martinez informed the group that he would like to replicate the same membership due approach that is used by the Water Planning Group for the flood planning group. Dave Hall made a motion and Jeff Bennett seconded the motion. Chairman Martinez called for a vote and the motion was approved unanimously.

**16. General public comments**

There were no comments from the public.

**17. Consider date and agenda items for next meeting**

After much discussion on what agenda items to include and what date to have the next meeting, the group decided to have the Executive Committee meet on March 4, 2021 at 9:30 AM, MST, to review the nominations for the vacancies and later have a general membership meeting at 10:30 AM, MST.

**18. Adjournment**

Dave Hall made a motion to adjourn the meeting at 10:39 AM, MST. Sal Madoud seconded the motion. Chairman Martinez called for a vote and the motion was approved unanimously.



### **Biography for Gisela Dagnino**

Gisela Dagnino began her career at El Paso Water as a temporary employee in December 2001. As an Engineering Technician, she designed and drafted water and wastewater systems for future subdivisions and assisted project engineers assigned to the City of El Paso Street and Drainage Improvement Projects by designing water and wastewater pipeline relocations or new installations.

She was offered a permanent position at EPWater in October 2002 as an Engineering Technician II, where, in addition to continuing to design water and wastewater systems for future subdivisions, she began conducting water hydraulic models and sanitary sewer studies.

In 2006 she was promoted to Engineering Associate where she continued her work as a hydraulic modeler and she also branched out as project engineer of development agreements for new subdivisions.

In February 2009, upon the creation of the Stormwater Utility, Ms. Dagnino was transferred to Stormwater as a Project Manager to oversee the design and construction of citywide drainage projects identified in the city's Stormwater Master Plan.

In 2012, upon becoming a Professional Engineer, Ms. Dagnino was promoted to Utility Engineer where she continued implementing stormwater facilities related projects from the planning stage through construction. One such project led to the removal of 5,000 properties from the Special Flood Hazard Area, saving El Paso residents from having to pay hundreds of thousands of dollars in flood insurance premiums.

In 2016 she was promoted to her current position as Engineering Division Manager, where she manages an over \$20 million budget, leads a team of nine employees in the implementation, design, construction and inspection of citywide drainage infrastructure, and reviews Subdivision Improvement Plans for new and existing development. Her department works closely with the City's Planning Division to ensure that the approval of drainage infrastructure meets current drainage design standards as well as EPWater's Stormwater's maintenance requirements. She performs essential coordination with EPWater's Stormwater Operations department and other outside agencies such as USACE, FEMA, IBWC, TxDOT, City and County, among others. She currently works with FEMA and City of El Paso on the public outreach for the release of the Preliminary SFHA maps.

She is a Professional Engineer and a Certified Floodplain Manager in the state of Texas.

Gisela Dagnino is a naturalized U.S. citizen and is a native of Sinaloa, Mexico. She received her Bachelor of Science Degree in Civil Engineering from the Universidad Autónoma de Ciudad Juárez (UACJ) on December 10, 2000.



STATE REPRESENTATIVE  
**BROOKS LANDGRAF**

February 1, 2021

Annette Gutierrez  
Executive Director  
Rio Grande Council of Governments  
8037 Lockheed, Suite 100  
El Paso, Texas 79925

Re: Recommendation of Levi Bryand for Region 14 Upper Rio Grande Flood Planning Group

Dear Ms. Gutierrez,

Thank you for the opportunity to recommend Levi Bryand to the Region 14 Upper Rio Grande Flood Planning Group. I recommend him for this position and encourage you to give his application the highest consideration.

Levi's reputation is that of an exemplary and motivated individual. Levi is currently a water resources and land development engineer for Landgraf Crutcher & Associates in Odessa, Texas, which I represent in the Texas House of Representatives. He is one of the most hardworking individuals that I know and has distinguished himself through his community involvement and diverse experiences.

I believe that Levi's interests, education, and experiences align perfectly with those of this position. Levi earned a Master of Engineering in Civil Engineering, water resources specialty, in 2019. Levi is currently a doctoral student at Texas A&M University, set to graduate in 2026, specializing in the engineering of water resources. He is able to do this all while seamlessly juggling the many responsibilities that come along with being a practicing engineer.

Without reservation, I fully recommend Levi Bryand to the Region 14 Upper Rio Grande Flood Planning Group. Levi is humble, committed, and will get the job done. He brings another level of respect few other candidates could match and all the necessary qualifications for this position. I encourage you to contact me in the event you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Brooks Landgraf".

Brooks Landgraf



DISTRICT 81 – ANDREWS, ECTOR, WARD, AND WINKLER COUNTIES



# **Region 14 Upper Rio Grande**

## **Regional Flood Planning Group**

### Bylaws

Adopted November 5, 2020

*(page is intentionally left blank)*

## Table of Contents

<b>ARTICLE I.</b>	<b>Names.....</b>	<b>1</b>
Section 1	Organization.....	1
Section 2	Flood Planning Region.....	1
<b>ARTICLE II.</b>	<b>Establishment and Purpose .....</b>	<b>1</b>
<b>ARTICLE III.</b>	<b>Principal Administrative Office.....</b>	<b>1</b>
<b>ARTICLE IV.</b>	<b>Responsibilities .....</b>	<b>1</b>
<b>ARTICLE V.</b>	<b>Voting Membership .....</b>	<b>2</b>
Section 1	Composition .....	2
Section 2	Terms of Office .....	2
Section 3	Conditions of Membership.....	2
Section 4	Selections of Members.....	3
Section 5	Attendance .....	4
Section 6	Code of Conduct.....	4
Section 7	Removal of Voting Members.....	5
<b>ARTICLE VI.</b>	<b>Non-Voting Membership.....</b>	<b>6</b>
Section 1	Mandatory Members .....	6
Section 2	Discretionary Members.....	7
Section 3	Code of Conduct.....	7
<b>ARTICLE VII.</b>	<b>Designated Alternates .....</b>	<b>7</b>
<b>ARTICLE VIII.</b>	<b>Officers.....</b>	<b>8</b>
Section 1	Officers, Restrictions, and Terms of Office.....	8
Section 2	Selection.....	8
Section 3	Removal of Officers.....	8
Section 4	Vacancies of Officers .....	9
Section 5	Duties of Each Officer .....	9
Section 6	Executive Committee .....	9
Section 7	Designated Alternates.....	10
<b>ARTICLE IX.</b>	<b>Meetings .....</b>	<b>10</b>
Section 1	Open Meetings and Notice.....	10
Section 2	Regular Meetings.....	10
Section 3	Called (Special) Meetings.....	11
Section 4	Agenda .....	11
Section 5	Quorum .....	11
Section 6	Applicability of Robert’s Rules of Order .....	11
Section 7	Public Meetings Required By Law.....	11
Section 8	Minutes.....	11
<b>ARTICLE X.</b>	<b>Making Decisions .....</b>	<b>12</b>
Section 1	Applicability; No Written Proxies.....	12
Section 2	Decision-Making Process.....	12



Section 3	Approving Recommended Flood Management Evaluations (FME), Flood Management Strategies (FMS), and Flood Mitigation Projects (FMP) .....	13
Section 4	Final Adoption of Regional Flood Plan; Amendments .....	13
<b>ARTICLE XI.</b>	<b>Books and Records .....</b>	<b>13</b>
Section 1	Required Documents and Retainment .....	13
Section 2	Inspection and Copying .....	13
Section 3	Availability of Reports .....	14
<b>ARTICLE XII.</b>	<b>Committees .....</b>	<b>14</b>
Section 1	Establishment.....	14
Section 2	Membership .....	14
Section 3	Officers .....	14
Section 4	Meetings.....	15
Section 5	Books and Records .....	15
Section 6	Code of Conduct.....	15
<b>ARTICLE XIII.</b>	<b>Compensation/Reimbursement .....</b>	<b>15</b>
<b>ARTICLE XIV.</b>	<b>Contractual Services .....</b>	<b>15</b>
<b>ARTICLE XV.</b>	<b>Adopting and Amending the Bylaws.....</b>	<b>16</b>
<b>ARTICLE XVI.</b>	<b>Resolution Adopting Bylaws .....</b>	<b>16</b>

## **ARTICLE I. Names**

### **Section 1 Organization**

The official name of this organization shall be the “Region 14 Upper Rio Grande Regional Flood Planning Group” (hereinafter “Region 14 Upper Rio Grande RFPG”).

### **Section 2 Flood Planning Region**

The official name and boundaries of the flood planning region designated by the Texas Water Development Board (hereinafter “TWDB”) in accordance with Senate Bill 8 of the 86th Regular Texas Legislature on April 9, 2020 , shall be the “Region 14 Upper Rio Grande Flood Planning Region” (hereinafter “Region 14 Upper Rio Grande FPR”).

## **ARTICLE II. Establishment and Purpose**

The Region 14 Upper Rio Grande RFPG was established by the TWDB on October 1, 2020, through the designation of initial flood planning group members. The purpose of the Region 14 Upper Rio Grande RFPG is to carry out the responsibilities placed on regional flood planning groups as required by Texas Water Code Chapter 16 and TWDB rules, including 31 Texas Administrative Code (TAC) Chapters 361 and 362.

## **ARTICLE III. Principal Administrative Office**

The principal administrative office of the Region 14 Upper Rio Grande RFPG shall be the principal business offices of the planning group sponsor. The administrative officer of the Region 14 Upper Rio Grande RFPG for purposes of the Texas Open Records Act shall be an individual designated by the planning group sponsor. The Chair of the Region 14 Upper Rio Grande RFPG shall ensure that the mailing address and physical address of the principal office and administrative officer are provided to all members of the Region 14 Upper Rio Grande RFPG and the Executive Administrator of the TWDB.

## **ARTICLE IV. Responsibilities**

The Region 14 Upper Rio Grande RFPG shall have the responsibility for performing the functions defined in Texas Water Code, Chapter 16 and in 31 TAC Chapters 361 and 362 related to regional flood planning for the Region 14 Upper Rio Grande FPR. Foremost among those responsibilities shall be the development of a regional flood plan for the Region 14 Upper Rio Grande FPR that identifies flood risks, establishes flood mitigation and floodplain management goals, and recommends evaluations, strategies, and projects to reduce flood risks.

## **ARTICLE V. Voting Membership**

### **Section 1 Composition**

The initial voting members of the Region 14 Upper Rio Grande RFPG shall be comprised of the initial flood planning group members as designated by the TWDB on October 1, 2020. The Region 14 Upper Rio Grande RFPG may subsequently add additional voting members through a process in conformance with these bylaws, specifically Section 4 of this Article.

The Region 14 Upper Rio Grande RFPGs shall at all times, maintain each of the required voting positions listed in 31 TAC §361.11(e). However, if the Region 14 Upper Rio Grande FPR does not have an interest in one of the categories, then the Region 14 Upper Rio Grande RFPG shall so advise the Executive Administrator of the TWDB and an individual member designation may not be required.

The Region 14 Upper Rio Grande RFPG shall provide a current list of its voting and non-voting positions and the individual member name that fills each position to the TWDB.

The voting membership of the Region 14 Upper Rio Grande RFPG shall not exceed 18 members.

### **Section 2 Terms of Office**

The terms of all initial voting members shall expire on July 10, 2023. Upon the expiration of the initial terms, all voting members shall draw lots for additional terms of five years or two years, such that half of the voting members' terms will expire in two additional years and the other half in five additional years. If there is an odd number of voting members at the time that lots are drawn, one more than half shall draw lots for the two-year terms.

Except for the initial terms of the initial voting members and the two-year terms described above, all subsequent terms of office for voting members shall be five years, the goal of staggering the terms of office having been accomplished. There are no limits to the number of terms a member may serve. Upon the expiration of a member's term, a majority vote of the total voting membership shall be required for the member to continue to serve for a subsequent term. If a member fails to be affirmed for a subsequent term, then the voting members shall initiate procedures to appoint a successor utilizing the process set forth under Section 4 of this Article.

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

In order to be eligible for voting membership on the Region 14 Upper Rio Grande RFPG, a person must be capable of adequately representing the interest for which a member is sought, be willing to participate in the regional flood planning process, attend meetings, and abide by these bylaws.

## **Section 4 Selections of Members**

### **4.1 Filling Vacancies**

No later than ninety calendar days prior to the expiration of a voting member's term, or within forty-five calendar days after the removal of or unanticipated resignation of a voting member, the Region 14 Upper Rio Grande RFGP shall post public notice on its website and any other relevant websites and notify via email the county clerk in each county located in whole or in part in the Region 14 Upper Rio Grande RFGP soliciting nominations for a successor, identifying the particular interest for which the nomination is 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 Region 14 Upper Rio Grande RFGP may also submit nominations in the manner prescribed in the public notice.

The Region 14 Upper Rio Grande RFGP 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 attempt to select a successor by consensus. If efforts to reach consensus fail, the Chair shall call for a vote on a nominee. A majority vote of the voting members present shall be required to appoint a successor. If the voting members fail to select a successor, the voting members shall consider other nominations until a successor can be selected by consensus or majority vote of the voting members present.

### **4.2 Adding and Removing New Voting Positions**

In addition to selecting successor voting members to fill vacancies caused by removal or the expiration of a term, the Region 14 Upper Rio Grande RFGP may, at any time, add additional voting positions including in any new interest categories or additional representatives of the required interest categories in Texas Water Code §16.062(c) and 31 TAC §361.11(e), that the RFGP considers appropriate for development of its RFP. The Region 14 Upper Rio Grande RFGP must use the selection process set forth in this section for filling vacancies.

Adding any new voting position that increases the total number of voting positions may only occur upon a two-thirds vote of all existing voting positions (31 TAC §361.11(i)).

If a new voting position is created, the existing voting members shall select a nominee to fill the new position by majority vote of the voting members present and shall determine by consensus, but not less than agreement of a majority of

the voting members present, the exact applicability of the membership term provisions and restrictions to the new member at the time of the new members selection.

The Region 14 Upper Rio Grande RFPG may, at any time, remove a voting position as long as the Region 14 Upper Rio Grande RFPGs maintains each of the required voting positions listed in 31 TAC §361.11(e). Removal of a voting position requires a majority vote of all existing voting positions. If there is currently a member serving in the voting position to be removed, that member will be removed from their position and the Region 14 Upper Rio Grande RFPG is not required to remove the voting member by the process set forth in Section 7 of this Article.

If upon the designation of initial flood planning group members by the TWDB on October 1, 2020, there is a vacant voting position for one or more of the required interest categories in 31 TAC §361.11(e), the Region 14 Upper Rio Grande RFPG shall solicit nominations by generally utilizing the selection process set forth in this section. A nominee may be selected to fill the vacant voting position upon a majority vote of the voting members present.

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

#### **4.3 *Outgoing Members***

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 two or five 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 Region 14 Upper Rio Grande RFPG meetings. Records of attendance shall be kept by the Secretary at all Region 14 Upper Rio Grande RFPG meetings and hearings and presented as part of the minutes. Voting members of the Region 14 Upper Rio Grande RFPG 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 may be subject to removal from membership under Section 7 of this Article.

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

Members and designated alternates of the Region 14 Upper Rio Grande RFPG shall conduct the business of the Region 14 Upper Rio Grande RFPG in an ethical manner 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 Region 14 Upper Rio Grande RFPG 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 member's or designated alternate's family;
  - (iii) the member's or designated alternate's 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's 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) any violation or attempted violation of the Public Information Act (Government Code Chapter 552) or the Open Meetings Act (Government Code Chapter 551);
- (3) failure to abide by the code of conduct provisions set forth under Section 6 of this Article;
- (4) change in status so that the member no longer represents the interest he or she was selected to represent;
- (5) falsifying documents;
- (6) any other serious violation of these bylaws as may be determined by the voting members; or
- (7) the voting member's designated alternate engages in any acts described in subdivisions (2), (3), (5) or (6) of this subsection.

**(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 to verify or refute the alleged acts or events. The member shall provide a written response to the Chair within fifteen calendar days from the date of receipt of the Chair's request. Within five calendar days of receipt of the member's response, the Chair shall forward copies of the response to the voting members. If the Chair believes that a ground for removal may exist or if the member fails to provide a timely response to the Chair's request, the Chair shall confer with the Executive Committee regarding the matter. The Executive Committee may vote to place an item on the next subsequent agenda addressing the possible removal of the member. If the Chair does not believe that a ground for removal exists and indicates that he or she will not place an item on the next agenda addressing the possible removal, then a written request from five voting members will be required to place an item on a subsequent meeting agenda addressing the possible removal of the member. At the meeting, all discussion and debate with regard to the possible removal shall take place in a closed, executive session, but the final vote on removal shall take place in an open meeting. During the executive session, the Chair shall lay out all of the correspondence and information that has been received related to the possible removal and the member subject to the possible removal may present evidence refuting or verifying the information presented. The voting members may remove the member by a majority vote of the voting members present. The member subject to the removal action shall not participate in any way in the removal vote, nor shall his or her membership count as part of the voting members present of calculating a majority vote.

## **ARTICLE VI. Non-Voting Membership**

### **Section 1 Mandatory Members**

The non-voting members of the Region 14 Upper Rio Grande RFPG shall include the non-voting members set forth in 31 TAC §361.11(f)(1)-(7). As necessary, the Region 14 Upper Rio Grande RFPG shall include members designated by upstream or downstream RFPGs or members from neighboring RFPGs touching the Gulf Coast, as set forth in 31 TAC §361.11(f)(8)-(9). Such designees shall have no terms of office and shall serve until replaced by the designating entity. However, if the voting members decide by a majority vote of the voting members present, that a particular designee is hindering the regional flood planning efforts of the Region 14 Upper Rio Grande RFPG, the Chair shall make a written request to the entity requesting the designation of another person to serve as the entity's designee.

In accordance with 31 TAC 361.11(f)(8), if there is an upstream or downstream FPR that is located within the same river basin as the Region 14 Upper Rio Grande FPR, the Region 14 Upper Rio Grande RFPG must designate a non-voting member liaison to coordinate with the upstream or downstream RFPG.

In accordance with 31 TAC 361.11(f)(9), if Region 14 Upper Rio Grande RFPG touches the Gulf Coast, the Region 14 Upper Rio Grande RFPG must designate a non-voting member liaison to coordinate with neighboring RFPGs that also touch the Gulf Coast.

## **Section 2 Discretionary Members**

The voting members of the Region 14 Upper Rio Grande RFPG may choose to create a new non-voting position to represent a specific entity by a two-thirds vote of the voting members present. 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 non-voting member. However, if the voting members determine by a majority vote of the voting members present vote that a particular designee is hindering the regional flood planning efforts of the Region 14 Upper Rio Grande RFPG and that the entity should remain as a non-voting 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.

In addition to creating new non-voting positions for specific entities, the Region 14 Upper Rio Grande RFPG may, at any time, create non-voting positions for specific interest categories that the RFPG considers appropriate for development of its RFP by a two-thirds vote of voting members present. The Region 14 Upper Rio Grande RFPG must use the selection process set forth in Article V, Section 4.

## **Section 3 Code of Conduct**

All non-voting members shall comply with the code of conduct provisions under Section 6 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. Each member must notify the Chair in writing of the name and appropriate contact information of the member's designated alternate at least forty-eight hours 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 14 Upper Rio Grande 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.



## ARTICLE VIII. Officers

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

Voting members of the Region 14 Upper Rio Grande RFPG shall select from the voting membership a Chair, Vice Chair, and Secretary 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. No two voting members representing the same interest shall serve as officers at the same time. 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.** No later than at the next meeting 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 consensus if possible, but not less than agreement of a majority of the voting members present.

**(b) Regular Officers.** Beginning in January 2022, 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 sent to all members of the Region 14 Upper Rio Grande RFPG 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 consensus, but not less than agreement of a majority 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. Removal of an officer shall be decided by a majority vote 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, all discussion and debate with regard to the possible removal shall take place in a closed, executive session, but the final vote on removal shall take place in an open meeting. During the executive session, the presiding officer shall lay out the information that has been received related to the possible removal, and the officer subject to the possible removal action may present evidence refuting or verifying the information presented. 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 majority 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. Removing an officer from their office under this section does not remove the member from their voting position on the Region 14 Upper Rio Grande RFPG. To remove a voting member from their voting position, the Region 14 Upper Rio Grande RFPG must follow to the removal process under Article V, Section 7.

#### **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 a majority vote 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 Region 14 Upper Rio Grande RFPG. The Chair will preside at all meetings of the Region 14 Upper Rio Grande RFPG 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 Region 14 Upper Rio Grande RFPG 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.** The Secretary shall maintain the minutes and take attendance of the Region 14 Upper Rio Grande RFPG meetings. The minutes and attendance shall be kept as part of the Region 14 Upper Rio Grande RFPG official records. The Secretary shall ensure 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 shall 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 shall assume the duties of the Chair.

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

The Executive Committee shall be composed of five Region 14 Upper Rio Grande 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. 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 Region 14 Upper Rio Grande RFGP may delegate 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 Region 14 Upper Rio Grande RFGP, 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 the TWDB rules. All actions of the Region 14 Upper Rio Grande RFGP 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 flood planning process. In accordance with TWDB rules, specifically, 31 TAC 361.21, copies of all materials presented or discussed shall be made available for public inspection prior to and following any meeting of the Region 14 Upper Rio Grande RFGP.

### **Section 2 Regular Meetings**

At least one regular meeting of the Region 14 Upper Rio Grande RFGP shall be held approximately in each quarter or more frequently. At the first meeting after the adoption of these bylaws and the first meeting of each calendar year thereafter, the Region 14 Upper Rio Grande RFGP shall establish and adopt a regular meeting schedule for the ensuing year. The Secretary shall ensure that an advance notice and an agenda for regular meetings will be provided to the full membership of the Region 14 Upper Rio Grande RFGP as set forth in TWDB rules. 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.

### **Section 3 Called (Special) Meetings**

The Chair or a majority of the voting members of the Region 14 Upper Rio Grande RFPG may call special meetings of the Region 14 Upper Rio Grande RFPG. The Secretary shall ensure that advance notice and an agenda for the called meeting is provided to the full membership of the Region 14 Upper Rio Grande RFPG as set forth in TWDB rules and the Texas Open Meetings Act. 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.

### **Section 4 Agenda**

The Secretary of the Region 14 Upper Rio Grande RFPG shall ensure 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 two voting members of the Region 14 Upper Rio Grande RFPG. Consideration for approval of the previous meeting's 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 Region 14 Upper Rio Grande RFPG, in accordance with TWDB rules.

### **Section 5 Quorum**

A quorum of the Region 14 Upper Rio Grande RFPG shall be a simple majority of the voting members or their designated alternates excluding vacancies. At least a quorum shall be necessary to conduct any business of the Region 14 Upper Rio Grande RFPG.

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

Except as otherwise provided in these bylaws, meetings of the Region 14 Upper Rio Grande RFPG shall be conducted under the provisions of the most current edition of *Robert's Rules of Order*. However, failure to follow *Robert's Rules of Order* shall not constitute grounds for appeal of an action or a decision of the Region 14 Upper Rio Grande RFPG.

### **Section 7 Public Meetings Required By Law**

The Region 14 Upper Rio Grande RFPG shall post notice and conduct public meetings that are specifically required by statute and TWDB rule, including those set forth for draft regional flood plan presentation, adoption of amendments to the regional flood plan, and final regional flood plan adoption, in accordance with the requirements of Texas Water Code Chapter 16 and TWDB rules, including 31 Texas Administrative Code (TAC) Chapters 361 and 362. Notification requirements may be different than those specified in Section 1 of this Article and are specifically delineated in Texas Water Code §16.062 and 31 TAC §361.21.

### **Section 8 Minutes**

(a) The Secretary shall ensure that minutes of all meetings of the Region 14 Upper Rio Grande RFPG 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's record; and state any other information required by these bylaws to be included in the minutes.

**(b)** The Secretary shall ensure that true copies of the minutes are provided to the full membership as soon as possible following the meeting, but no later than ten calendar days prior to the next regular meeting of the Region 14 Upper Rio Grande RFG.

## 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 Region 14 Upper Rio Grande RFG, 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 Region 14 Upper Rio Grande RFG, 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 consensus 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) Use of Consensus.** The Region 14 Upper Rio Grande RFG shall attempt to make decisions using a consensus decision-making process. Consensus is an acknowledgement of agreement built by identifying and exploring all members' interests and by agreeing to a solution that satisfies these interests to the greatest extent possible. A consensus is reached when all voting members agree that their major interests have been taken into consideration and addressed in a satisfactory manner so that they can support the decision of the group, or at least not object. The process of building consensus involves the development of alternatives and the assessment of the impacts of those alternatives.

Consensus does not necessarily mean unanimity. Some members may strongly endorse a particular solution while others may accept it as a workable solution. A member can participate in the consensus without embracing each element of the solution with the same fervor as other members, or necessarily having each of his or her interests satisfied to the fullest extent. In a consensus, the members recognize that, given the combination of gains and trade-offs in the decision package and given the current circumstances and alternative options, the resulting solution is the best one the voting members can make at this time.

**(b) Failure to Reach Consensus.** If after good faith negotiations it appears likely to the Chair that the voting members will be unable to reach consensus, the Chair shall entertain a motion to put the issue to a vote to be conclusively decided by a majority vote of the voting members present.

### **Section 3 Approving Recommended Flood Management Evaluations (FME), Flood Management Strategies (FMS), and Flood Mitigation Projects (FMP)**

The voting members of the Region 14 Upper Rio Grande RFPG shall finally approve each recommended FME, FMS, and FMP by a separate vote by consensus, but not less than a majority vote of the voting members present.

### **Section 4 Final Adoption of Regional Flood Plan; Amendments**

The voting members of the Region 14 Upper Rio Grande RFPG shall finally adopt the regional flood plan for the Region 14 Upper Rio Grande FPR, and any amendments thereto by consensus, but not less than a majority vote of the voting members present.

## **ARTICLE XI. Books and Records**

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

Records of the Region 14 Upper Rio Grande RFPG, 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 planning group sponsor political subdivision of the Region 14 Upper Rio Grande RFPG; 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 Region 14 Upper Rio Grande RFPG for a period of at least five years or the period of time required of the political subdivision serving as the planning group sponsor, whichever is longer.

The storage and dissemination of all Region 14 Upper Rio Grande RFPG records must comply with TAC §361.21(d) and Texas Government Code, Chapter 552 (Public Information Act) regarding the handling of confidential materials.

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

Records of the Region 14 Upper Rio Grande RFPG shall be available for inspection and copying at the principal place of business of the planning group sponsor political subdivision during normal business hours. Procedures and fees for copying and inspection shall be the same as those used by the planning group sponsor political subdivision housing the principal office of the Region 14 Upper Rio Grande RFPG for inspection and copying of its own public records, or as prescribed in the Texas Public Information Act.

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

All reports, planning documents, and work products resulting from the regional flood planning grant funding provided by the TWDB and all supporting documentation for the development the regional flood plan shall be made available to the TWDB, the Texas Division of Emergency Management, the Texas Parks and Wildlife Department, the Texas Department of Agriculture, the Texas State Soil and Water Conservation Board, General Land Office and the Texas Commission on Environmental Quality or their successor agencies. Electronic versions of the regional flood plan will be posted on the flood planning group website and the TWDB website.

## **ARTICLE XII. Committees**

### **Section 1 Establishment**

The Region 14 Upper Rio Grande RFPG may by a majority vote of the voting members present establish committees, subcommittees, and subgroups to assist and advise the Region 14 Upper Rio Grande RFPG in the development of the regional flood plan, as set forth in 31 TAC §361.12(c). The committee, subcommittee, or subgroup may be formed to address specific issues assigned by the Region 14 Upper Rio Grande RFPG and may have a specified term of membership.

### **Section 2 Membership**

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. The terms of office for all members of committees, subcommittees, and subgroups shall be either upon the expiration of the term, if any, specified by the Region 14 Upper Rio Grande RFPG in the establishing motion for the committee, subcommittee, or subgroup, or upon the expiration of the persons membership in the Region 14 Upper Rio Grande RFPG.

If a RFPG creates a sub-regional committee, subcommittee, or subgroup to address issues related to a specific geographic area smaller than the full FPR, it shall, to the extent practical, define such sub-regional geographic areas based on boundaries that are conterminous with full HUC 8 watersheds located within the FPR. Sub-regional committees, subcommittees, or subgroups formed to address issues related to a specific geographic area smaller than the full FPR must include one voting member representing each of the interest categories listed in 31 TAC §361.11(e).

### **Section 3 Officers**

The Chair, Vice-chair, and Secretary of a committee, subcommittee, or subgroup established by the Region 14 Upper Rio Grande RFPG shall be selected from the duly-elected members of the respective committee, subcommittee, or subgroup. The Chair, Vice Chair, and Secretary of the committee, subcommittee, or subgroup established by the Region 14 Upper Rio Grande RFPG shall be elected

to their respective offices by a majority vote of the members of the committee, subcommittee, or subgroup. Additional committee, subcommittee, or subgroup officers with associated responsibilities may be created as necessary by a majority vote of the members of the committee, subcommittee, or subgroup. The additional officers shall be elected by a majority affirmative vote of the members of the committee, subcommittee, or subgroup.

#### **Section 4 Meetings**

Requirements and procedures for committee, subcommittee, or subgroup meetings shall follow those established in Article IX of these bylaws, including requirements for notice. Committees, subcommittees, or subgroups may adopt their own rules of procedure, if authorized by the Region 14 Upper Rio Grande RFPG and the rules are not in conflict with state law, TWDB rules, or these bylaws.

#### **Section 5 Books and Records**

Requirements and procedures for committee, subcommittee, or subgroup books and records shall follow those established for the Region 14 Upper Rio Grande RFPG in Article XI of these bylaws.

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

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

### **ARTICLE XIII. Compensation/Reimbursement**

Members of the Region 14 Upper Rio Grande RFPG are able to be reimbursed for eligible travel expenses, as authorized by the General Appropriations Act, and as limited by the TWDB regional flood planning grant contract for attendance at a posted meeting of the RFPG. All travel expenses must be documented by the members and submitted to the Chair and the planning group sponsor political subdivision designated by the Region 14 Upper Rio Grande RFPG to apply to TWDB for funding. The Chair of the RFPG must certify, in a public meeting, that the travel expenses are eligible for reimbursement and are correct and necessary before the planning group sponsor political subdivision contracting with the TWDB for the Region 14 Upper Rio Grande RFPG can compile the travel information from the members and submit reimbursement requests to the TWDB.

### **ARTICLE XIV. Contractual Services**

The voting members of the Region 14 Upper Rio Grande RFPG shall approve, by a majority vote of the voting members present, persons or entities to provide contractual services for the Region 14 Upper Rio Grande RFPG, including all services related to preparation, development, or revisions of the regional flood plan for the Region 14 Upper Rio Grande FPR. However, the voting members may delegate to the Executive Committee the authority to make all administrative decisions concerning amendments to TWDB grant contracts for



services related to regional flood planning, except those decisions concerning amendments related to scopes of work and budgets.

## **ARTICLE XV. Adopting and Amending the Bylaws**

These bylaws shall have full force and effect upon approval and adoption by the voting members of the Region 14 Upper Rio Grande RFPG, acting on behalf of the interests comprising the Region 14 Upper Rio Grande FPR, and upon submission to the TWDB in compliance with 31 TAC §361.11(d). The voting members shall adopt and/or amend these bylaws by a two-thirds vote of the voting members present.

## **ARTICLE XVI. Resolution Adopting Bylaws**

WHEREAS, no bylaws have been adopted governing the conduct of the internal affairs of the Region 14 Upper Rio Grande RFPG; and

WHEREAS, the set of bylaws presented to and as otherwise modified by agreement during this meeting are suitable for the purpose and their adoption is in the best interests of the Region 14 Upper Rio Grande RFPG; it is, therefore,

RESOLVED, that the members of the Region 14 Upper Rio Grande RFPG this \_\_\_\_\_ day of \_\_\_\_\_, approve and adopt the bylaws presented to this meeting of members as the bylaws of the Region 14 Upper Rio Grande RFPG; and it is

FURTHER RESOLVED, that the bylaws be authenticated as such by the Secretary of the Region 14 Upper Rio Grande RFPG 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 Region 14 Upper Rio Grande RFPG for inspection by members or the public at all reasonable times during business hours.

\_\_\_\_\_  
(date)

\_\_\_\_\_  
(Signature of Secretary)