

Region -1 Canadian-Upper Red Flood Planning Group Meeting

January 14, 2021

2:00 PM

Publicly Accessible Videoconference
(details below)

Meeting will be conducted via GoToMeeting at:

<https://global.gotomeeting.com/join/252964093>

AGENDA

- 1. Call to Order and Welcoming Remarks.**
 - a. Floyd Hartman, Chairman
- 2. Role Call and Establish Quorum.**
- 3. Review of written public comments received.**
- 4. Receive general public comments** (Public comments limited to 3 minutes per speaker)
- 5. Consider –the minutes from the November 18, 2020 Region 1 RFPG Meeting.**
- 6. Update from the Texas Water Development Board.**
 - a. TWDB Presentation
- 7. Discuss and Action as Appropriate – Consideration of nominations for electing regional flood planning group officers to include: Chair, Vice Chair, Secretary, Executive Committee**
 - a. Nominations for Officers can be considered via a slate or individually
 - b. Discussion and consideration of election of current officers
 - c. Nomination for Executive Committee members
 - d. Discussion and consideration of election of Executive Committee members
- 8. Discuss and Action as Appropriate – Consideration of appointment to fill the vacant Voting RFPG Member Seats, full solicitation issued in accordance with Region 1 Bylaws. Positions for consideration include: Agricultural, Municipal, Counties, Flood District and Electric Generating Utilities.**
 - a. Public Comments (Public comments limited to 3 minutes per speaker)
 - b. Discussion, nomination and consideration of individuals to fill the Agriculture Seat
 - c. Discussion, nomination and consideration of individuals to fill the Municipal Seat
 - d. Discussion, nomination and consideration of individuals to fill the Counties Seat
 - e. Discussion, nomination and consideration of individuals to fill the Flood District Seat
 - f. Discussion, nomination and consideration of individuals to fill the Electric Generating Utilities Seat
- 9. Discuss and Action as Appropriate – Consideration of appointment to fill the vacant Non-Voting Transportation Representative Seat, solicitation issued in accordance with Region 1 bylaws. Positions for consideration include: TxDOT Representative and an At-Large Representative.**
 - a. Public Comments (Public comments limited to 3 minutes per speaker)
 - b. Update from the PRPC and Discussion on individuals to fill the Transportation Seat (TxDOT)
 - c. Discussion, nomination and consideration of individuals to fill the Transportation Seat (At-Large)

- 10. Discuss and Action as Appropriate – Consideration of designating a non-voting member liaison to the Region 2 Lower Red-Sulphur-Cypress RFPG required per §361.11(f)(8) of the Texas Administrative Code.**
 - a. Public Comments (Public comments limited to 3 minutes per speaker)
 - b. Discussion and consideration of individual to be the Region 2 liaison
- 11. Discuss and Action as Appropriate – Consideration of appropriate changes to the Region 1 Bylaws.**
 - a. Discussion of current bylaws as currently adopted
 - b. Consider potential changes to bylaws
- 12. Discuss and Action as Appropriate – Consideration of Region 1 website and domain name (required per TAC §361.21(b)).**
 - a. Public Comments (Public comments limited to 3 minutes per speaker)
 - b. Presentation, Discussion and Consideration of Region 1 website and domain name
- 13. Pre-Planning Public Input – Public input regarding suggestions and recommendations as to issues, provisions, projects, and strategies that should be considered during the flood planning cycle and/or input on the development of the regional flood plan (as required per Texas Water Code §16.062(d) and 31 Texas Administrative Code §361.12(a)(4)).**
 - a. TWDB Presentation
 - b. Public Comments (Public comments limited to 3 minutes per speaker)
- 14. Discuss and Action as Appropriate – Consideration of the application for funding for Region 1 Regional Flood Planning Effort**
 - a. Public Comments (Public comments limited to 3 minutes per speaker)
 - b. Presentation, Discussion and Consideration of the application for funding for Region 1 Regional Flood Planning Effort
- 15. Discuss and Action as Appropriate – Consideration of the development of a Request for Qualifications (RFQ) to procure necessary Technical Services for the 2023 Regional Flood Plan.**
 - a. Public Comments (Public comments limited to 3 minutes per speaker)
 - b. Discussion and Consideration of the development of the RFQ for Technical Services
- 16. Discuss – Requirement for Flood Planning Members to obtain Public Information Act and Open Meetings Certification to fulfill Texas Government Code 551.005**
 - a. Discussion for members to fulfill the requirements of Texas Government Code 551.005
 - b. Discussion and consideration of a nomination for a Public Information Act Coordinator
- 17. Consider date and agenda items for next meeting**
- 18. Adjourn**

If you wish to provide written comments prior to or after the meeting, please email your comments to dmeyer@theprpc.org and include “Region 1. Canadian-Upper Red Flood Planning Group Meeting” in the subject line of the email.

If you choose to participate via the webinar link below, you WILL have the opportunity to provide comments during the designated portion of the meeting.

<https://global.gotomeeting.com/join/252964093>

If you choose to participate in the meeting using the conference call number below, you will NOT have the opportunity to provide comments during the designated portion of the meeting. The conference call phone number is provided for LISTENING PURPOSES ONLY. Telephone conference call phone number: [+1 \(786\) 535-3211](tel:+17865353211) and the audio access code is [252-964-093](tel:252964093).

This meeting is a public meeting under Chapter 551 of the Texas Government Code.

Region 1. Canadian-Upper Red Flood Planning Group will hold a public meeting via GoToMeeting pursuant to Texas Government Code, Section 551.127, as modified by the temporary suspension of various provisions in accordance with the Governor's March 13, 2020 proclamation related to, the COVID-19 pandemic.

Additional information may be obtained from: Dustin Meyer, Local Government Services Director, (806) 372-3381, dmeyer@theprpc.org, 415 S. W. Eighth Avenue, Amarillo, TX.

Region 1 Canadian-Upper Red

PO Box 9257
Amarillo, Texas 79105

Regional Flood Planning Group

P: (806) 372-3381
F: (806) 373-3268

Memorandum

To: Region 1 Canadian-Upper Red Regional Flood Planning Group Meeting
From: Dustin Meyer, Local Government Services Director
Date: January 14, 2021
Re: Agenda Item #3

Review of written public comments received.

No written public comments received.

Attachment: None

Region 1 Canadian-Upper Red

PO Box 9257
Amarillo, Texas 79105

Regional Flood Planning Group

P: (806) 372-3381
F: (806) 373-3268

Memorandum

To: Region 1 Canadian-Upper Red Regional Flood Planning Group Meeting
From: Dustin Meyer, Local Government Services Director
Date: January 14, 2021
Re: Agenda Item #4

Receive general public comments.

Public comments limited to three minutes per speaker.

Attachment: None

Region 1 Canadian-Upper Red

PO Box 9257
Amarillo, Texas 79105

Regional Flood Planning Group

P: (806) 372-3381
F: (806) 373-3268

Memorandum

To: Region 1 Canadian-Upper Red Regional Flood Planning Group Meeting
From: Dustin Meyer, Local Government Services Director
Date: January 14, 2021
Re: Agenda Item #5

Consider – the minutes from the November 18, 2020 Region 1 RFPG Meeting.

Attachment: November 18, 2020 Draft Minutes

Meeting Minutes
Region 1 Canadian-Upper Red Flood Planning Group Meeting
November 18, 2020
9:30 AM
GoToWebinar Virtual Meeting

Roll Call:

<u>Voting Member</u>	<u>Interest Category</u>	<u>Present (x) / Absent () / Alternate Present (*)</u>
Chandler Bowers	Agricultural interests	X
Jeffrey Kyle Watts	Counties	X
Vacant	Electric generating utilities	
Nathan Howell	Environmental interests	X
Vacant	Flood districts	
Don C. Davis	Industries	
Kyle Schniederjan	Municipalities	X
Jane Ketcham	Public	X
Randy Whiteman	River authorities	X
Joseph Shehan	Small business	X
Tracy R. Mesler	Water districts	X
Floyd Hartman	Water utilities	X

<u>Non-voting Member</u>	<u>Agency</u>	<u>Present (x) / Absent () / Alternate Present (*)</u>
Brad Simpson	Texas Parks and Wildlife Department	X
Brian Hurtuk	Texas Division of Emergency Management	X
Carol Faulkenberry	Texas Department of Agriculture	X
Bob Gruner	Texas State Soil and Water Conservation Board	X
Trey Bahm	General Land Office	
Melinda Torres	Texas Commission on Environmental Quality	X
Megan Ingram	Texas Water Development Board (TWDB)	X

Quorum:

Quorum: **Yes**

Number of voting members or alternates representing voting members present: **9**

Number required for quorum per current voting positions of 12: **7**

Other Meeting Attendees: **

Carolann Corado, Farmer Creek Watershed Authority

Cindy McCracken, City of Nocona

Scott Hubley, Freese and Nichols

Dustin Meyer and Kathryn English, Panhandle Regional Planning Commission

Hayley Gillespie, James Bronikowski, Jennifer White, Kathleen Jackson, Morgan White, Reem Zoun, and Ryke Moore, Texas Water Development Board

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

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

DRAFT

AGENDA ITEM NO. 1: Call to Order

Chairman Floyd Hartman called the meeting to order at 9:30 AM. A roll call of the planning group members was taken to record attendance and a quorum was established prior to calling the meeting to order.

AGENDA ITEM NO. 2: Welcome, Meeting Facilitation Information and Instructions

Chairman Hartman welcomed members to the meeting and provided meeting facilitation information and instructions.

AGENDA ITEM NO. 3: Receive General Public Comments

No public comments were given.

AGENDA ITEM NO. 4: Discuss and consider the minutes from the October 26, 2020 Region 1 RFPG Meeting

Discussion of the October 26 Meeting Minutes.

A motion was made by Joe Shehan to approve the minutes of the last meeting. The motion was seconded by Kyle Schniederjan. The vote to approve the minutes passed with 9 Ayes and 0 Nays.

AGENDA ITEM NO. 5: Update from Texas Water Development Board

- a. Update on Application Timeline and Process**
- b. Update on funding available to the Region-1 Flood Planning Group**
- c. TWDB Presentation**

Kathleen Jackson gave a welcome to the planning members and thanked them for their participation.

Megan Ingram provided a presentation on the RFA Process and Funding Summary. The TWDB will meet and consider publishing the RFA at the board meeting tomorrow, November 19, 2020. \$19.5 million in available funds will be allocated between the fifteen flood planning regions. Sponsors will submit applications until the January 21, 2021 deadline and they will be processed as they are received. Contract execution with a consultant will begin as soon as possible, but no later than March 2021.

The Regional and State Flood Planning Process was outlined. Chairman Floyd Hartman highlighted the that this represents the group's mission statement to produce a Regional Flood Plan that will identify flood risk and recommend evaluation needs, strategies and projects within the region to ultimately inform the State Flood Plan which will rank recommended evaluations, projects and strategies statewide to serve as a basis for future state financial assistance.

Ms. Ingram continued with a presentation on Flooding 101. The TWDB published a State Flood Assessment in 2019 and is a valuable resource on flooding in Texas. The fifteen flood planning regions are delineated by the various watershed boundaries in Texas. The RFPG will be planning for two types of flood events: 1.0% annual chance flood event and 0.2% annual chance flood event. There was an overview of the various types of floods, mitigation strategies, and solutions.

There was a discussion of the TWDB presentation. Dr. Nathan Howell asked about the definition of flooding they will be operating under and if it draws a distinction between groundwater and surface water as well as a suggestion for a future presentation topic on how to weigh the different structural and non-structural flood mitigation strategies. Kyle Schniederjan remarked that he would appreciate a list of cities and counties in Region 1 as well as who is participating in the NFIP and Community Rating System in Region 1. Jeff Watts asked if a future topic may be how flood mitigation relates to private property.

AGENDA ITEM NO. 6: Discuss and consider nominations for electing Regional Flood Planning Group Officers to include Vice Chair, Secretary, Executive Committee.

- a. **Nomination for Vice Chair by members**
- b. **Discussion and consideration of election of Vice Chair**
- c. **Nominations for Secretary by members**
- d. **Discussion and consideration of election of Secretary**
- e. **Nomination for Executive Committee members**
- f. **Discussion and consideration of election of Executive Committee members**

Chairman Floyd Hartman described the Vice Chair, Secretary, and Executive Committee positions. Chairman Hartman explained the election process and opened the floor to nominations.

A nomination of Joe Shehan for Vice Chair was made by Dr. Nathan Howell. Randy Whiteman seconded the nomination. Randy Whiteman moved to elect Joe Shehan to the position of Vice Chair. Jeff Watts seconded the motion. A vote by acclamation to elect Joe Shehan as Vice Chair passed with 9 Ayes and 0 Nays.

A nomination of Kyle Schniederjan for Secretary was made by Randy Whiteman. Jeff Watts seconded the nomination. Randy Whiteman moved to elect Kyle Schniederjan to the position of Secretary. Jeff Watts seconded the motion. Kyle Schniederjan remarked that he is happy to serve, but asked the planning members to be mindful of regional representation in their vote as that would make two executive officers from the City of Amarillo. Randy Whiteman said he was cognizant of that when he made the nomination and believes this will be beneficial to the group in facilitating communication between officers especially important during this first planning cycle. A vote by acclamation to elect Kyle Schniederjan as Secretary passed with 9 Ayes and 0 Nays.

Dustin Meyer reviewed the requirements for Executive Committee members including that no two members may represent the same interest category. Chairman Hartman opened the floor for nominations for two members to serve on the Executive Committee.

A nomination of Jeff Watts and Tracy Mesler for Executive Committee was made by Kyle Schniederjan. Dr. Nathan Howell nominated Jane Ketcham. Randy Whiteman seconded the three nominations. Since three nominations were received for two open positions, a roll call vote was conducted. 8 Ayes and 1 Nay were received for Jeff Watts. 9 Ayes and 0 Nays were received for Tracy Mesler. The vote was concluded with the Ayes for Mr. Watts and Mr. Mesler sufficient to fill the two remaining Executive Committee positions.

AGENDA ITEM NO. 7: Discuss and Consider action to add additional voting and non-voting positions that may be needed to ensure adequate representation from the interest in the region.

- a. **Public Comments (Public comments limited to 3 minutes per speaker)**

b. Discussion and consideration of additional voting and non-voting positions

Chairman Hartman opened the floor for public comment. No public comments were given and no comments were received prior to the meeting.

Chairman Hartman opened the floor to discussion. A two-thirds vote will be required to add the seat and a solicitation process to receive nominations will be initiated to fill the seat. The TWDB plans to share the solicitation with unselected nominees at the RFPG's request.

Tracy Mesler suggested adding voting positions in the interest categories of municipalities, counties, and agriculture. Joe Shehan suggested the addition of two non-voting positions for TxDOT and BNSF for the transportation interest category.

Jeff Watts made a motion to add three voting positions in the municipality, county, and agricultural interest categories as well as two non-voting positions in the transportation interest category. Chandler Bowen seconded the motion. A vote by roll call was conducted and the motion passed with 9 Ayes and 0 Nays.

Mr. Watts asked when they will consider nominations for those position. Chairman Hartman provided an explanation of the member solicitation process and considerations of nominees will take place at an Executive Committee meeting in January. Mr. Meyer added that the solicitation will be open for 30-45 days and according to the Bylaws the Executive Committee must wait 10 days after the close of the solicitation to consider the nominees.

AGENDA ITEM NO. 8: Consider initiating RFPG solicitation process for individuals to fill required voting member positions not designated by the TWDB.

- a. Public Comments (Public comments limited to 3 minutes per speaker)**
- b. Discussion and consideration of solicitation for unfilled seats**

Chairman Hartman opened the floor for public comment. No public comments were given and no comments were received prior to the meeting. However, Dustin Meyer remarked that Carolann Corado with Farmers Creek Watershed Authority is in attendance. Ms. Corado identified herself but did not provide any comment.

Chairman Hartman opened the floor to discussion. Tracy Mesler identified Farmer Creek Watershed Authority and the Clear Creek Watershed Authority as the two flood districts in Region 1 that may potentially fill the vacancy. The other vacancy is in the interest category of Electric Generating Utilities. We will need to go through a solicitation process to receive nominations for these vacancies.

Kyle Schniederjan made a motion to proceed with the solicitation process for individuals to fill the five voting member positions. Jeff Watts seconded the motion. There was discussion of the motion and Kyle Schniederjan moved to amend the motion to include the solicitation process for the two non-voting positions. Tracy Mesler seconded the motion. A vote by acclamation to begin the solicitation process for the five voting positions and two non-voting positions passed with 9 Ayes and 0 Nays.

Ms. Ingram provided clarification on the non-voting member solicitation process. If a position is in an interest category as opposed to being entity-based, it follows the same solicitation process as a voting

member position. However, if a non-voting position is entity-based, for example a state agency such as TxDOT, we will reach out to that agency directly and they will make an assignment.

AGENDA ITEM NO. 9: Discuss next steps in the flood planning process.

a. Public Comments (Public comments limited to 3 minutes per speaker)

Chairman Hartman opened the floor for public comment. No public comments were given and no comments were received prior to the meeting.

The next steps in the flood planning process include the submittal of the application for funding to the TWDB and development of a Request for Qualification for a consultant.

AGENDA ITEM NO. 10: Discuss and Consider a means by which the RFPG will develop and host a public website (required per §361.21(b)).

Mr. Meyer shared an option of developing a website on Google Sites. The only associated cost would be the purchase of a domain name. The PRPC can create a website to present at the next meeting with a proposed domain name.

Dr. Nathan Howell asked if the PRPC would also have the ability to maintain a presence on social media such as a Facebook page. Mr. Meyer responded that in the administrative experience of the PRPC, they have not developed any social media accounts for governmental bodies. Chairman Hartman remarked that we can look into the option, but at this time focus on meeting the requirement of the website. Dr. Howell also asked for the opportunity at the January meeting for members to provide detailed feedback on the website content.

AGENDA ITEM NO. 11: Discuss and Consider a means by which the RFPG will accept written public comment prior to and after meetings (required per §361.21)

Public comment will be received prior to and after meetings by emailing Dustin Meyer. The PRPC will develop a means for individuals to submit public comment on the future website.

Dr. Nathan Howell asked at what point an individual's comment would become a matter of public record. Mr. Meyer responded that would be applicable if an individual is making a comment related to an agenda item with the intent that their comment be addressed before the RFPG. Chairman Hartman added that we would have the potential to add a separate agenda item to address comments received after meetings. Joe Shehan asked in the context of serving as representative for small business if individuals would be able to make a comment via their interest representative. Chairman Hartman said it would be appropriate to bring public comment from constituents in the respective interest categories. Chairman Hartman encouraged contact with the community, but to clearly communicate with Mr. Meyer on what needs to be addressed at future agenda meetings.

Joe Shehan made a motion to continue to receive written public comment prior to and after meetings by emailing Dustin Meyer. Chandler Bowers seconded the motion. A vote on the motion by acclamation passed with 9 Ayes and 0 Nays.

AGENDA ITEM NO. 12: Discussion of the required solicitation for persons or entities who request to be notified of RFPG activities (required per §361.21)

To fulfill this requirement information on how to become an interested party may be provided on the TWDB website and future RFPG website. Anyone will be able to contact the PRPC directly or via the new website to be added to the email list to receive all information related to the Region-1 RFPG.

AGENDA ITEM NO. 13: Consider date and agenda items for next meeting

The next meeting will be scheduled after the member solicitation deadline has passed and the executive committee meets but prior to January 21, 2021, the TWDB funding application submission deadline. A poll will be sent to members to finalize a date to take place during the week of January 11.

Future agenda items may include a review of the new website, potential revisions to the Bylaws, a review of the funding application, and the nominations of member vacancies.

AGENDA ITEM NO. 14: Adjourn

A motion was made by Jeff Watts to adjourn the meeting. The motion was seconded by Tracy Mesler. The motion passed by unanimous consent.

The meeting adjourned at 11:21 AM by Floyd Hartman.

Approved by the Region 1 Canadian-Upper Red RFPG at a meeting held on 01/14/2021.

Kyle Schniederjan, Secretary

Floyd Hartman, Chairman

Region 1 Canadian-Upper Red

PO Box 9257
Amarillo, Texas 79105

Regional Flood Planning Group

P: (806) 372-3381
F: (806) 373-3268

Memorandum

To: Region 1 Canadian-Upper Red Regional Flood Planning Group Meeting
From: Dustin Meyer, Local Government Services Director
Date: January 14, 2021
Re: Agenda Item #6

Update from the Texas Water Development Board.

TWDB Presentation by Megan Ingram including updates and review of the regional flood planning process.

Attachment: Draft Regional Flood Plan Scope of Work

Texas Water Development Board Flood Planning Presentation Regional Flood Planning Group

TABLE OF CONTENTS:

- RFPG Responsibilities: Scope of Work Overview
- Regional Flood Planning Pre-Planning Public Meeting Requirements

RFPG Responsibilities: Scope of Work Overview (20 minutes)

General Document Cross-Reference

Regional Flood Planning Contract Document References			2023 Regional Flood Plan Chapter, Associated TAC Sections, and Content		
TWDB Contract Reimbursement Accounting Number ('CAS')	Exhibit A - Contract SOW Task	Exhibit C - General Guidelines for Regional Flood Plan Development	Regional Flood Plan Chapter Number	Primary TAC Section	General Content
1	1	1	1	§361.30; §361.31; §361.32	Planning Area Description
2	2A	2	2	361.33	Existing Condition Flood Risk Analyses
3	2B			361.34	Future Condition Flood Risk Analyses

Task 1 – Planning Area Description



Llano dam on the Llano river sits on the banks of the county seat.

Image: TWDB

A general description of the region, including:

- social & economic character
- flood-prone areas, types of major flood risks, and key historical flood events
- political subdivisions with flood related authority
- the extent of local regulation and development codes relevant to flooding
- existing or proposed natural flood mitigation features and constructed major flood infrastructure

Task 2A & 2B – Existing & Future Condition Flood Risk Analyses

Perform existing and future condition **flood hazard analyses** to determine the location and magnitude of both 1.0% and 0.2% annual chance flood events



Develop existing & future condition **flood exposure analyses** to identify who and what might be harmed for both 1.0% and 0.2% annual chance flood events.

Perform existing & future condition **vulnerability analyses** to identify vulnerabilities of communities and critical facilities

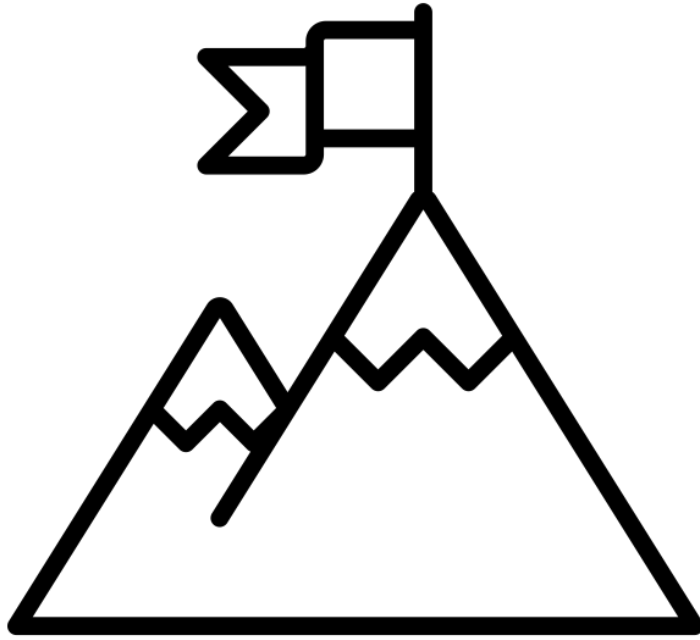
Task 3A – Evaluation & Recommendations on Floodplain Management Practices

- Consider how current floodplain management practices or regulations increase flood risks.
- Consider how the 1.0% annual chance floodplain and associated flood risks may change over time.
- Consider adopting minimum floodplain management/land use standards that an entity must adopt prior to including any evaluations, projects, or strategies in the regional flood plan.



West Fork San Jacinto River near Humble, Texas after Hurricane Harvey
Image: Steve Fitzgerald, Harris County Flood Control District

Task 3B – Flood Mitigation & Floodplain Management Goals

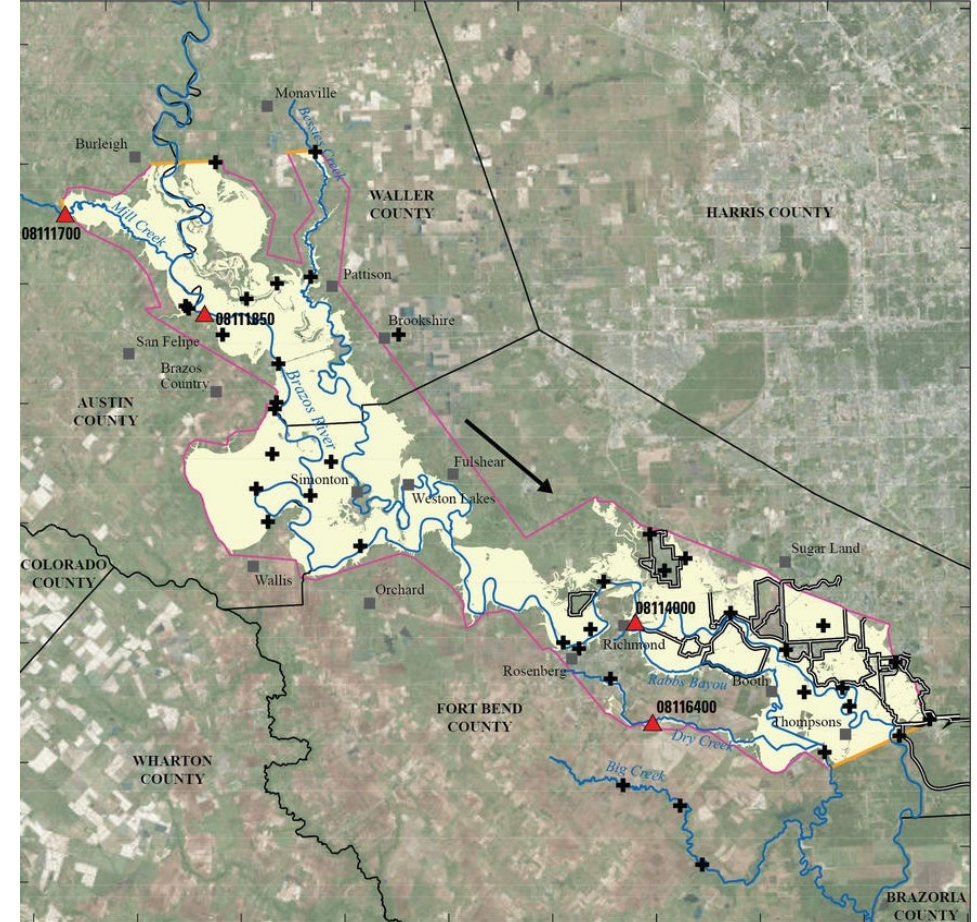


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- Identify specific and achievable flood mitigation and floodplain management goals
 - Short (10 year) & Long-Term (30 year)
- State the levels of residual flood risk after goals are fully met.

Task 4A – Flood Mitigation Needs Analysis

- Identify locations within the region that have the greatest flood mitigation and flood risk study needs.
- Based on the analyses and goals developed by the RFPG under Tasks 2A through 3B

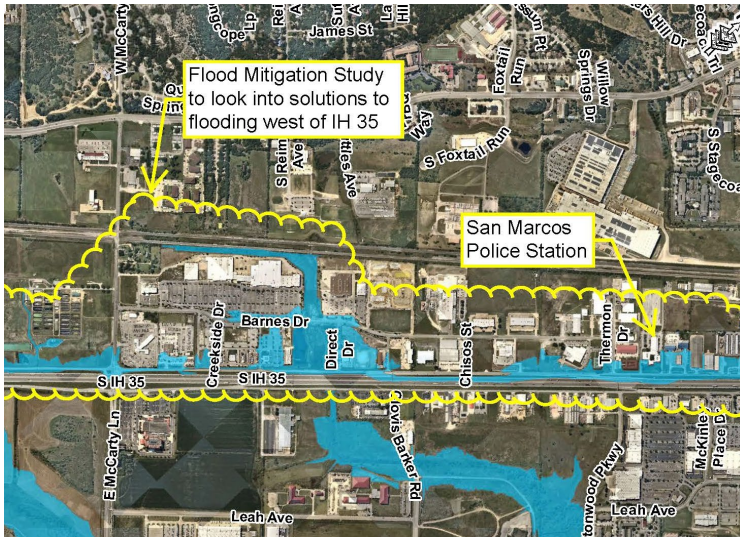


Map of inundated areas (yellow areas) on the lower Brazos River after Hurricane Harvey
Image: USGS

Key Terms for Tasks 4 & 5: FME, FMP, FMS

Flood Management Evaluation (FME)

- A proposed flood study of a specific, flood-prone area that is needed in order to assess flood risk and/or determine whether there are potentially feasible FMSs or FMPs.



Cottonwood Creek Flood Study, San Marcos, TX.

Image: City of San Marcos

Flood Management Strategy (FMS)

- A proposed plan to reduce flood risk or mitigate flood hazards to life or property (may or may not require associated FMPs to be implemented).



Exploration Green project, Clear Lake City, TX

Image: Texas Water Resources Institute

Flood Mitigation Project (FMP)

- A proposed project (structural and non-structural) that when implemented will reduce flood risk, mitigate flood hazards to life or property.

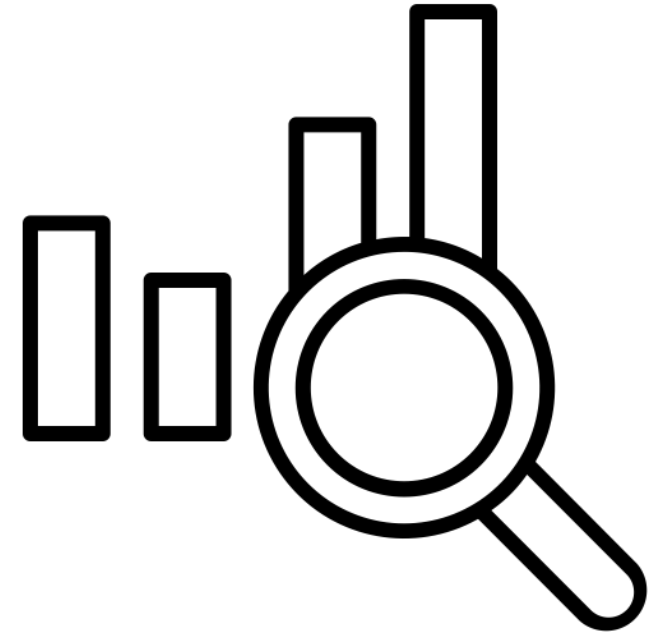


El Paso storm water project, El Paso, TX

Image: El Paso Water

Task 4B – Identification and Evaluation of Potential FMEs & Potentially Feasible FMSs and FMPs

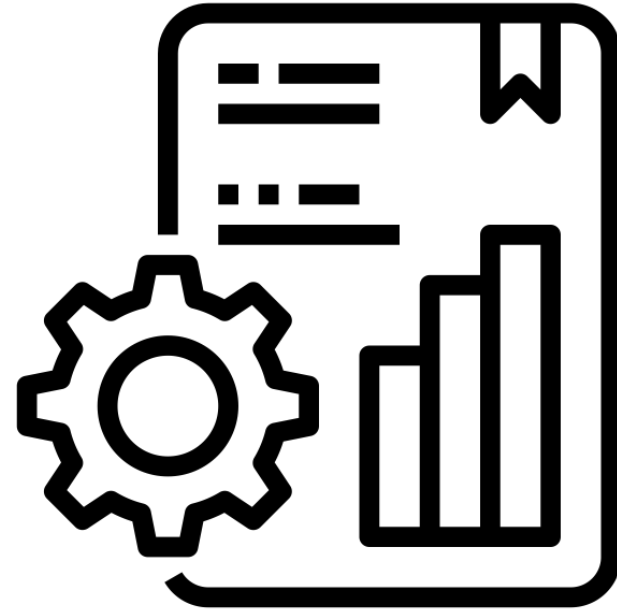
- Identify potential FMEs and potentially feasible FMSs and FMPs based on process developed with public input
- Evaluate potential FMEs and potentially feasible FMSs and FMPs based on a variety of factors described in rules and guidance.
- The FMPs should be permittable, constructible, and implementable.



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Task 4C – Prepare and Submit Technical Memorandum

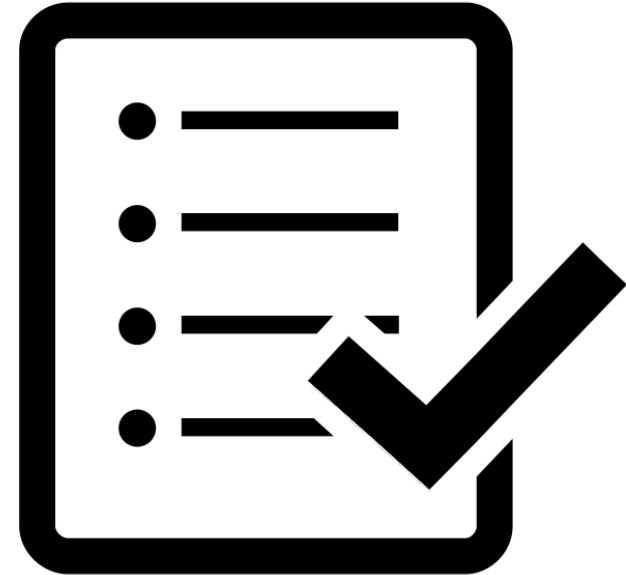
- Include all deliverables from Tasks 1 to 4B detailed in the Scope of Work
- TWDB Guidance Document will provide more information.
- Tentative Due Date: January 2022



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Task 5 – Recommendation of FMEs, FMSs & FMPs

- Recommend FMEs that are most likely to identify potentially feasible FMSs and FMPs based on evaluations under Task 4B
- Recommend FMSs and FMPs to reduce the impacts of flood based on evaluations under Task 4B
- Recommendations should be based on comparison of alternatives



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Regional & State Flood Planning Long-Range Planning Process



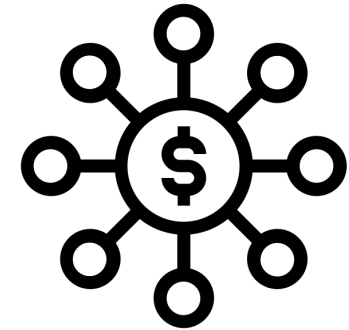
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Regional Flood Plans will identify flood risk and recommend FMEs, FMSs, and FMPs within regions.



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State Flood Plan will rank recommended FMEs, FMSs, and FMPs statewide.



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from Noun Project

Future state financial assistance may be allocated using a to-be-determined prioritization criteria.*

*Funding to implement projects can also come from local, federal, or other sources.

Task 6A – Impacts of Regional Flood Plan

- Summarize the relative reduction in flood risk that implementation of the plan would achieve.
- Describe impacts of recommended FMSs and FMPs on environment, agriculture, recreation, water quality, erosion, sedimentation, and navigation.
- State that FMPs will not negatively affect neighboring areas.



Crops in the lower Rio Grande Valley
Image: TWDB



Recreational boating.
Image: TWDB



Dolan Falls

Image: TWDB

Task 6B – Impacts on Water Supply

- Summarize how Regional Flood Plan will affect water supply.
- How would FMSs and FMPs contribute to water supply?
- How would FMSs and FMPs impact water supply, availability, or projects in the State Water Plan?



© Texas Water Development Board

Task 7 – Flood Response Information and Activities

- Summarize existing flood response preparations.
- Coordinate with entities in the region to gather information
- RFPGs do not perform analyses or other activities related to disaster response or recovery.



Texas State Guard Hurricane Harvey emergency response.

Image: Texas State Guard

Task 8 – Administrative, Regulatory, and Legislative Recommendations

- Develop policy recommendations to implement and achieve the RFPG's stated goals and plans.
- Consider potential new revenue-raising opportunities to fund flood activities in the region.



Image: TWDB

Task 9 – Flood Infrastructure Financing Analysis

- Survey and report on how sponsors propose to finance recommended FMEs and FMPs
- Include recommendations on the proposed role of the State in financing FMEs and FMPs



Dam on the Llano River under Hwy 16 in Llano, Texas.

Image: TWDB

Task 10 – Public Participation & Plan Adoption

Administrative activities not included in other tasks, including:

- Meeting preparations, notices, agendas, materials, minutes, presentations, and public comments
- Website creation and maintenance
- Intraregional and interregional coordination and communication to develop the regional flood plan.



TWDB flood outreach meeting in Bastrop, TX.

Image: TWDB



Image: Brent Hanson, U.S. Geological Survey. Public domain.

Questions? Comments?

Regional Flood Planning Pre-Planning Public Meeting Requirements

Pre-Planning Meeting Background

- Provide background on formation of RFIGs and the Regional Flood Planning process.
- Gather suggestions and recommendations as to issues, provisions, projects, and strategies that should be considered in development of regional flood plan.



TWDB flood outreach meeting in Bastrop, TX.

Image: TWDB

About Regional Flood Planning

- First-of-its-kind statewide flood plan
- Watershed-based planning regions
- Bottom-up approach to flood planning
- Transparent process with public input
- Volunteer members representing interest categories

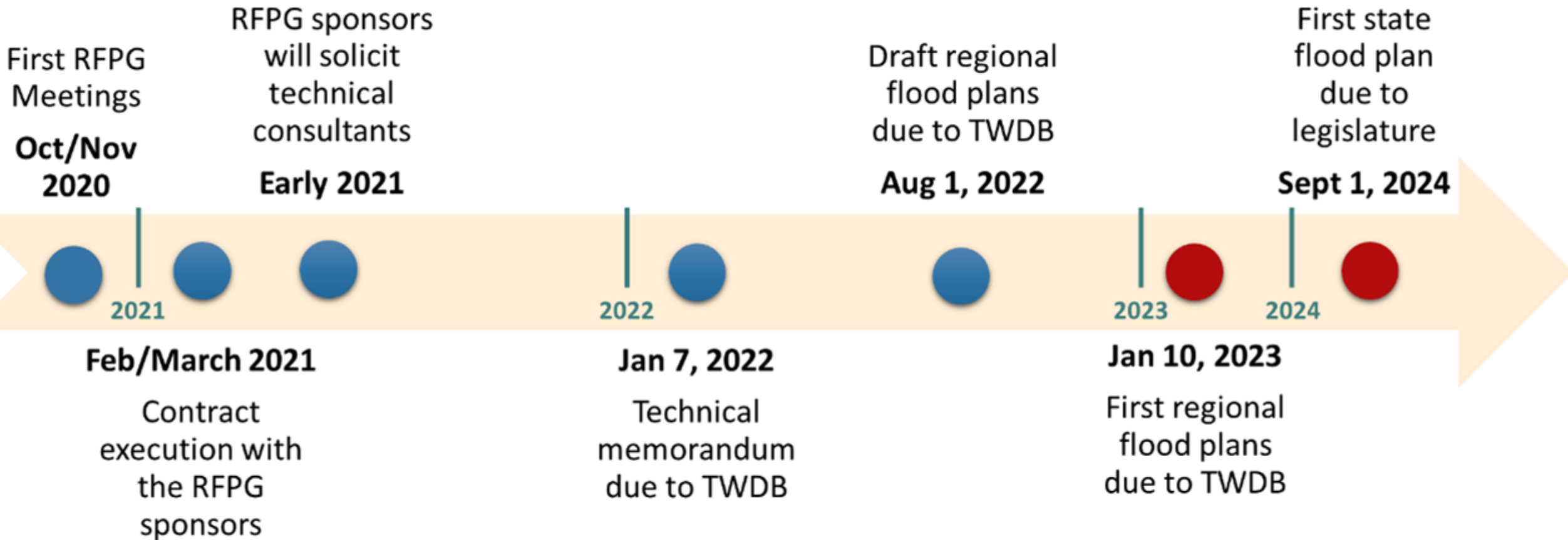


Find your RFRG Information, Meeting Schedules & Important Documents here:

<https://www.twdb.texas.gov/flood/planning/index.asp>

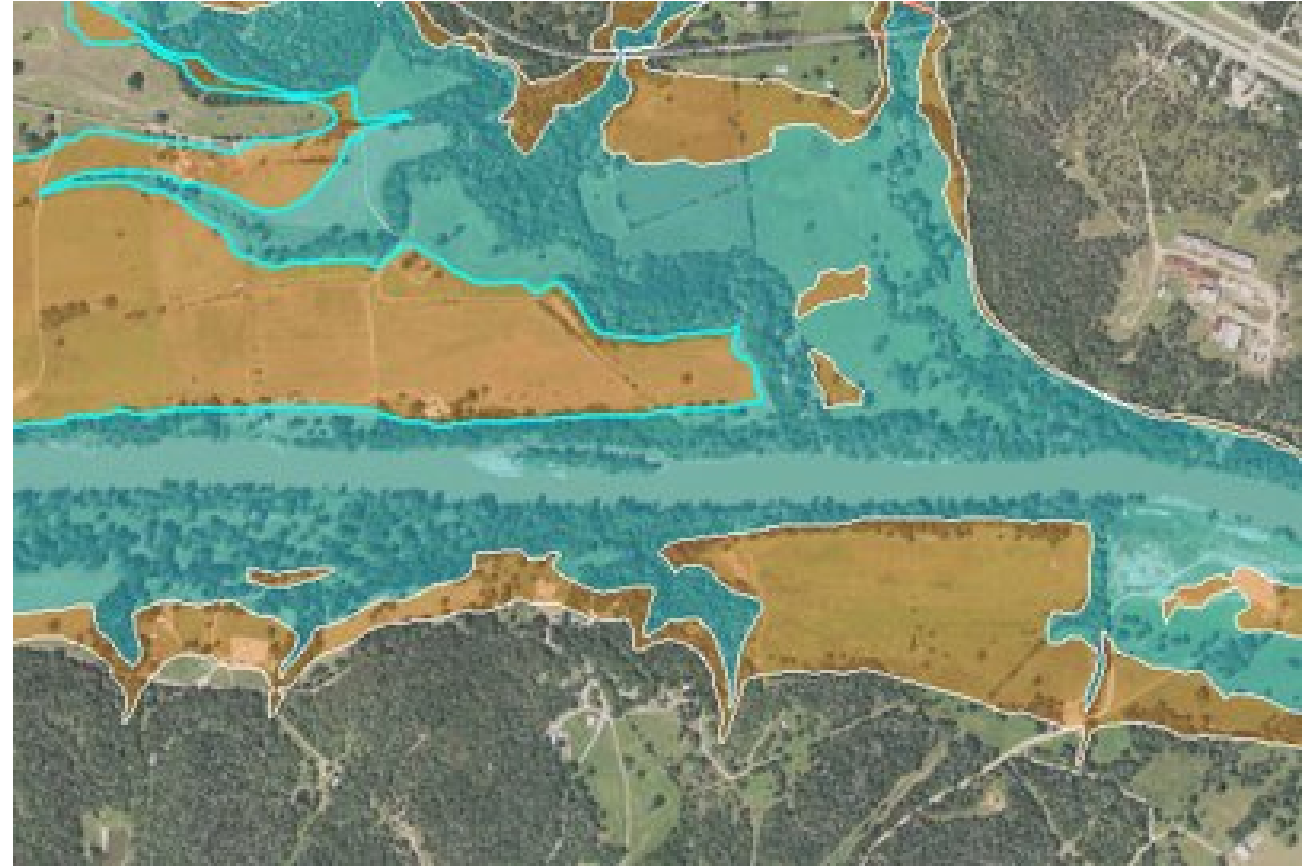
Flood Planning Timeline

SB 8 passed in 2019 requiring a statewide flood plan based on regional flood plans



Key Tasks of the RFPGs

- Gather & analyze data
- Identify existing and future flood risks
- Evaluate floodplain management practices
- Recommend evaluations, strategies, and projects to reduce flood risks
- Develop a regional flood plan



The 1% annual chance floodplain is shown in blue.
The 0.2% annual chance floodplain is shown in orange.
Image by FEMA

Flood Mitigation

The implementation of actions, including both **structural** and **non-structural solutions**, to reduce flood risk to protect against the loss of life and property.



Mangroves on the Texas Coast stabilize shorelines and help absorb storm surge; an example of a non-structural flood mitigation solution.

Photo by Univ. Of Texas Marine Science Institute



Galveston Seawall, a structural flood mitigation solution. Image by [Yinan Chen CC-PD](#)

Additional Opportunities for Public Input

There will be many opportunities public involvement:

- public comments are received at every RFPG meeting
- there will be at least one meeting for the public to comment on a flood risk summary map to identify any flood risk not captured
- there will be one additional public pre-planning meeting like this one to receive feedback and gather general suggestions
- the public will get to comment on the draft regional flood plan, once developed



TWDB flood outreach meeting in Bastrop, TX.

Image: TWDB

Find your RFPG Information, Meeting Schedules & Important Documents here:

<https://www.twdb.texas.gov/flood/planning/index.asp>



Image: Brent Hanson, U.S. Geological Survey. Public domain.

Questions?

Draft Regional Flood Planning (RFP) Scope of Work

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Task 1 – Planning Area Description

In addition to generally meeting all applicable rules and statute requirements governing regional and state flood planning under 31 Texas Administrative Code (TAC) Chapters 361 and 362, this portion of work shall, in particular, include all work necessary to meet all the requirements of 31 TAC §361.30, 361.31, and 361.32.

The objective of this task is to prepare a standalone chapter to be included in the 2023 Regional Flood Plan (RFP) that describes the Flood Planning Region (FPR).

This Task includes, but is not limited to, performing all work in accordance with TWDB rules and guidance required to prepare a chapter that includes:

1. A brief, general descriptions of the following:
 - a. social and economic character of the region such as information on development, population, economic activity, and economic sectors most at risk of flood impacts;
 - b. the areas in the FPR that are flood-prone and the types of major flood risks to life and property in the region;
 - c. key historical flood events within the region including associated fatalities and loss of property;
 - d. political subdivisions with flood-related authority and whether they are currently actively engaged in flood planning, floodplain management, and flood mitigation activities;
 - e. the general extent of local regulation and development codes relevant to existing and future flood risk;
 - f. agricultural and natural resources most impacted by flooding; and
 - g. existing local and regional flood plans within the FPR.
2. A general description of the location, condition, and functionality of existing natural flood mitigation features and constructed major flood infrastructure within the FPR.
3. Include a tabulated list and GIS map of existing infrastructure.
4. Include an assessment of existing infrastructure.
5. Explain, in general, the reasons for non-functional or deficient natural flood mitigation features or major flood infrastructure being non-functional or deficient, provide a description of the condition and functionality of the feature or infrastructure and whether and when the natural flood feature or major flood infrastructure may become fully functional, and provide the name of the owner and operator of the major flood infrastructure.
6. A general description of the location, source of funding, and anticipated benefits of proposed or ongoing major infrastructure and flood mitigation projects in the FPR.
7. A review and summary of relevant existing planning documents in the region. Documents to be summarized include those referenced under 31 TAC §361.22.

The information gathered and developed in preparation of this chapter shall be subject to the following review process prior to submission of any deliverables:

1. Review of the chapter documents and related information by RFPG members.
2. Modifications to the chapter document based on RFPG, public, and/or agency comments.
3. Submittal of chapter document to TWDB for review and approval.
4. All effort required to obtain final approval of the RFP chapter by TWDB.

Deliverables: A completed Chapter 1 describing the FPR, existing natural flood mitigation features, constructed major flood infrastructure, and major infrastructure and flood mitigation projects currently under development. A tabulated list and GIS map of existing infrastructure and their conditions. Any additional deliverables identified in the TWDB Flood Planning guidance documents.

Task 2A – Existing Condition Flood Risk Analyses

In addition to generally meeting all applicable rules and statute requirements governing regional and state flood planning under 31 TAC Chapters 361 and 362, this portion of work shall, in particular, include all work necessary to meet all the requirements of 31 TAC §361.33.

The objective of this task is to prepare a chapter to be combined with Task 2B and included in the 2023 Regional Flood Plan (RFP) that describes the existing and future condition flood risk in the FPR.

The RFPGs shall perform existing condition flood risk analyses for the region comprising: (1) flood hazard analyses that determine the location, magnitude, and frequency of flooding; (2) flood exposure analyses to identify who and what might be harmed within the region; and (3) vulnerability analyses to identify vulnerabilities of communities and critical facilities.

The information developed shall be used to assist the RFPG to establish priorities in subsequent planning tasks, to identify areas that need Flood Management Evaluations (FMEs), and to efficiently deploy its resources.

This Task includes, but is not limited to, performing all work in accordance with TWDB rules and guidance required to:

1. Perform existing condition flood hazard analyses to determine the location and magnitude of both 1.0% annual chance and 0.2% annual chance flood events as follows:
 - a. collect data and conduct analyses sufficient to characterize the existing conditions for the planning area;
 - b. identify areas within each FPR where hydrologic and hydraulic model results are already available and summarize the information;
 - c. utilize best available data, including hydrologic and hydraulic models for each area;

- d. prepare a map showing areas identified by the RFPG as having an annual likelihood of inundation of more than 1.0% and 0.2%, the areal extent of this inundation, and the sources of flooding for each area; and
 - e. prepare a map showing gaps in inundation boundary mapping and identify known flood-prone areas based on location of hydrologic features, historic flooding and/or local knowledge.
 2. Develop high-level, region-wide, and largely GIS-based existing condition flood exposure analyses using the information identified in the flood hazard analysis to identify who and what might be harmed within the region for, at a minimum, both 1.0% annual chance and 0.2% annual chance flood events as follows:
 - a. analyses of existing development within the existing condition floodplain and the associated flood hazard exposure;
 - b. for the floodplain as defined by FEMA or as defined by an alternative analysis if the FEMA-defined floodplain is not considered best available;
 - c. may include only those flood mitigation projects with dedicated construction funding and scheduled for completion prior to adoption of the next state flood plan.
 - d. shall consider the population and property located in areas where existing levees or dams do not meet FEMA accreditation as inundated by flooding without those structures in place. Provisionally accredited structures may be allowed to provide flood protection, unless best available information demonstrates otherwise.
 - e. shall consider available datasets to estimate the potential flood hazard exposure including, but not limited to:
 - i. number of residential properties and associated population;
 - ii. number of non-residential properties;
 - iii. other public infrastructure;
 - iv. major industrial and power generation facilities;
 - v. number and types of critical facilities;
 - vi. number of roadway crossings;
 - vii. length of roadway segments; and
 - viii. agricultural area and value of crops exposed.
 - f. shall include a qualitative description of expected loss of function, which is the effect that a flood event could have on the function of inundated structures (residential, commercial, industrial, public, or others) and infrastructure, such as transportation, health and human services, water supply, wastewater treatment, utilities, energy generation, and emergency services.
 3. Perform existing condition vulnerability analyses as follows:
 - a. identify resilience of communities located in flood-prone areas identified as part of the existing condition flood exposure analyses, utilizing relevant data and tools.

- b. identify vulnerabilities of critical facilities to flooding by looking at factors such as proximity to a floodplain or other bodies of water, past flooding issues, emergency management plans, and location of critical systems like primary and back-up power.
4. All data produced as part of the existing condition flood exposure analysis and the existing condition vulnerability analysis shall include:
 - a. underlying flood event return frequency;
 - b. type of flood risk;
 - c. county;
 - d. HUC8;
 - e. existing flood authority boundaries;
 - f. Social Vulnerability Indices for counties and census tracts; and
 - g. other categories as determined by RFPGs or in TWDB Flood Planning guidance documents.

The information gathered and developed in preparation of this chapter shall be subject to the following review process prior to submission of any deliverables:

1. Review of the chapter documents and related information by RFPG members.
2. Modifications to the chapter document based on RFPG, public, and/or agency comments.
3. Submittal of chapter document to TWDB for review and approval.
4. All effort required to obtain final approval of the RFP chapter by TWDB.

Deliverables:

- Prepare a stand-alone chapter (including work from both Tasks 2A & 2B) to be included in the 2023 RFP.
- Prepare maps according to 1(d) and 1(e).
- A tabulated list and GIS map of all pertinent information. All maps should be submitted with underlying GIS data utilized to prepare them.
- Any additional deliverables identified in the TWDB Flood Planning guidance documents.

Task 2B – Future Condition Flood Risk Analyses

In addition to generally meeting all applicable rules and statute requirements governing regional and state flood planning under 31 TAC Chapters 361 and 362, this portion of work shall, in particular, include all work necessary to meet all the requirements of 31 TAC §361.34.

The objective of this task is to prepare a chapter to be combined with Task 2A and included in the 2023 Regional Flood Plan (RFP) that describes the existing and future condition flood risk in the FPR.

RFPGs shall perform future condition flood risk analyses for the region comprising: (1) flood hazard analyses that determine the location, magnitude and frequency of flooding; (2) flood exposure analyses to identify who and what might be harmed within the region; and (3) vulnerability analyses to identify vulnerabilities of communities and critical facilities.

The information developed shall be used to assist the RFPG to establish priorities in subsequent planning tasks, to identify areas that need FMEs, and to efficiently deploy its resources.

This Task includes, but is not limited to, performing all work in accordance with TWDB rules and guidance required to:

1. Perform future condition flood hazard analyses to determine the location and magnitude of both 1.0% annual chance and 0.2% annual chance flood events as follows:
 - a. collect data and conduct analyses sufficient to characterize the future conditions for the planning area based on a "no-action" scenario of approximately 30 years of continued development and population growth under current development trends and patterns, and existing flood regulations and policies based on:
 - i. current land use and development trends and practices and associated projected population based on the most recently adopted state water plan decade and population nearest the next RFP adoption date plus approximately 30 years or as provided for in TWDB Flood Planning guidance documents;
 - ii. reasonable assumptions regarding locations of residential development and associated population growth;
 - iii. anticipated relative sea level change and subsidence based on existing information;
 - iv. anticipated changes to the functionality of the existing floodplain;
 - v. anticipated sedimentation in flood control structures and major geomorphic changes in riverine, playa, or coastal systems based on existing information;
 - vi. assumed completion of flood mitigation projects currently under construction or that already have dedicated construction funding; and
 - vii. other factors deemed relevant by the RFPG.
 - b. identify areas within each FPR where future condition hydrologic and hydraulic model results are already available and summarize the information;
 - c. utilize best available data, including hydrologic and hydraulic models for each area;
 - d. where future condition results are not available, but existing condition hydrologic and hydraulic model results are already available, the RFPGs shall

- modify hydraulic models to identify future conditions flood risk for 1.0% and 0.2% annual chance storms based on simplified assumptions utilizing the information identified in this task.
- e. prepare a map showing areas of 1.0% and 0.2% annual chance of inundation for future conditions, the areal extent of this inundation, and the sources of flooding for each area.
 - f. prepare a map showing gaps in inundation boundary mapping and identify known flood-prone areas based on location of hydrologic features, historic flooding, and/ or local knowledge.
2. Perform future condition flood exposure analyses using the information identified in the flood hazard analysis to identify who and what might be harmed within the region for, at a minimum, both 1.0% annual chance and 0.2% annual chance flood events as follows:
- a. analyses of existing development within the existing condition floodplain and the associated flood hazard exposure;
 - b. analyses of existing and future developments within the future condition floodplain and the associated flood hazard exposure; and
 - c. to include only those flood mitigation projects with dedicated construction funding scheduled for completion prior to the next RFP adoption date plus 30 years or as provided for in TWDB Flood Planning guidance documents.
 - d. Identification of flood prone areas associated with the hazard exposure analyses shall be based on analyses that rely primarily on the use and incorporation of existing and available:
 - i. FIRMs or other flood inundation maps and GIS related data and analyses;
 - ii. available hydraulic flood modeling results;
 - iii. model-based or other types of geographic screening tools for identifying flood prone areas; and
 - iv. other best available data or relevant technical analyses that the RFPG determines to be the most updated or reliable.
3. Perform future condition vulnerability analyses as follows:
- a. identify resilience of communities located in flood-prone areas identified as part of the future condition flood exposure analyses, utilizing relevant data and tools.
 - b. identify vulnerabilities of critical facilities to flooding by looking at factors such as proximity to a floodplain or other bodies of water, past flooding issues, emergency management plans, and location of critical systems like primary and back-up power.
4. All data produced as part of the future condition flood exposure analysis and the future condition vulnerability analysis shall include:
- a. underlying flood event return frequency;
 - b. type of flood risk;

- c. county;
- d. HUC8;
- e. existing flood authority boundaries;
- f. Social Vulnerability Indices for counties and census tracts; and
- g. other categories as determined in TWDB Flood Planning guidance documents.

The information gathered and developed in preparation of this chapter shall be subject to the following review process prior to submission of any deliverables:

1. Review of the chapter documents and related information by RFPG members.
2. Modifications to the chapter document based on RFPG, public, and/or agency comments.
3. Submittal of chapter document to TWDB for review and approval.
4. All effort required to obtain final approval of the RFP chapter by TWDB.

Deliverables:

- Prepare a stand-alone chapter (including work from both Tasks 2A & 2B) to be included in the 2023 RFP.
- Prepare maps according to 1(e) and 1(f). A tabulated list and GIS map of all pertinent information. All maps should be submitted with underlying GIS data utilized to prepare them.
- Any additional deliverables identified in the TWDB Flood Planning guidance documents.

Task 3A - Evaluation and Recommendations on Floodplain Management Practices

In addition to generally meeting all applicable rules and statute requirements governing regional and state flood planning under 31 TAC Chapters 361 and 362, this portion of work shall, in particular, include all work necessary to meet all the requirements of 31 TAC §361.35.

This Task includes, but is not limited to, performing all work in accordance with TWDB rules and guidance required to:

1. Consider the extent to which a lack of, insufficient, or ineffective current floodplain management and land use practices, regulations, policies, and trends related to land use, economic development, and population growth, allow, cause, or otherwise encourage increases to flood risks to both:
 - a. existing population and property, and
 - b. future population and property.
2. Take into consideration the future flood hazard exposure analyses performed under Task 2B, consider the extent to which the 1.0% annual chance floodplain, along with associated flood risks, may change over time in response to anticipated

development and associated population growth and other relevant man-made causes, and assess how to best address these potential changes.

3. Based on the analyses in (1) and (2), make recommendations regarding forward-looking floodplain management and land use recommendations, and economic development practices and strategies, that should be implemented by entities within the FPR. These region-specific recommendations may include minimum floodplain management and land use standards and should focus on how to best address the changes in (2) for entities within the region. These recommendations shall inform recommended strategies for inclusion in the RFP.
4. RFPGs may also choose to adopt region-specific, minimum floodplain management or land use or other standards that impact flood-risk, that may vary geographically across the region, that each entity in the FPR must adopt prior to the RFPG including in the RFP any Flood Management Evaluations, Flood Management Strategies, or Flood Mitigation Projects that are sponsored by or that will otherwise be implemented by that entity.

The information gathered and developed in preparation of this chapter shall be subject to the following review process prior to submission of any deliverables:

1. Review of the chapter documents and related information by RFPG members.
2. Modifications to the chapter document based on RFPG, public, and/or agency comments.
3. Submittal of chapter document to TWDB for review and approval.
4. All effort required to obtain final approval of the RFP chapter by TWDB.

Deliverables:

- Prepare a stand-alone chapter (including work from both Tasks 3A & 3B) to be included in the 2023 RFP.
- List region-specific recommendations regarding forward-looking floodplain management and land use, which may include minimum floodplain management and land use standards.
- Any additional deliverables identified in the TWDB Flood Planning guidance documents.

Task 3B – Flood Mitigation and Floodplain Management Goals

In addition to generally meeting all applicable rules and statute requirements governing regional and state flood planning under 31 TAC Chapters 361 and 362, this portion of work shall, in particular, include all work necessary to meet all the requirements of 31 TAC §361.36.

Consider the Guidance Principles under 31 TAC §362.3, Tasks 1-3A, input from the public, and other relevant information and considerations.

This Task includes, but is not limited to, performing all work in accordance with TWDB rules and guidance required to:

1. Identify specific and achievable flood mitigation and floodplain management goals along with target years by which to meet those goals for the FPR to include, at a minimum, goals specifically addressing risks to life and property.
2. Consider minimum recommended flood protection goal provided by TWDB.
3. Recognize and clearly state the levels of residual risk that will remain in the FPR even after the stated flood mitigation goals are fully met.
4. Structure and present the goals and the residual risks in an easily understandable format for the public including in conformance with TWDB Flood Planning guidance documents.
5. When appropriate, choose goals that apply to full single HUC8 watershed boundaries or coterminous groups of HUC8 boundaries within the FPR.
6. Identify both short-term goals (10 years) and long-term goals (30 years).

The information gathered and developed in preparation of this chapter shall be subject to the following review process prior to submission of any deliverables:

1. Review of the chapter documents and related information by RFPG members.
2. Modifications to the chapter document based on RFPG, public, and/or agency comments.
3. Submittal of chapter document to TWDB for review and approval.
4. All effort required to obtain final approval of the RFP chapter by TWDB.

Deliverables:

- Prepare a stand-alone chapter (including work from both Tasks 3A & 3B) to be included in the 2023 RFP.
- Identify flood mitigation and floodplain management goals considering minimum recommended flood protection goal provided by TWDB.
- Identify specific and achievable flood mitigation and floodplain management goals (10 year and 30 year) in an easily understandable format for the public.
- Any additional deliverables identified in the TWDB Flood Planning guidance documents.

Task 4A – Flood Mitigation Needs Analysis

In addition to generally meeting all applicable rules and statute requirements governing regional and state flood planning under 31 TAC Chapters 361 and 362, this portion of work shall, in particular, include all work necessary to meet all the requirements of 31 TAC §361.37.

The RFPG shall conduct the analysis in a manner that will ensure the most effective and efficient use of the resources available to the RFPG.

This Task includes, but is not limited to, performing all work in accordance with TWDB rules and guidance required to:

1. Based on the analyses and goals developed by the RFPG under Tasks 2A through 3B and any additional analyses or information developed using available screening-level models or methods, the RFPG shall identify locations within the FPR that the RFPG considers to have the greatest flood mitigation and flood risk study needs by considering:
 - a. the areas in the FPR that the RFPG identified as the most prone to flooding that threatens life and property;
 - b. the relative locations, extent, and performance of current floodplain management and land use policies and infrastructure located within the FPR;
 - c. areas identified by the RFPG as prone to flooding that don't have adequate inundation maps;
 - d. areas identified by the RFPG as prone to flooding that don't have hydrologic and hydraulic models;
 - e. areas with an emergency need;
 - f. existing modeling analyses and flood risk mitigation plans within the FPR;
 - g. flood mitigation projects already identified and evaluated by other flood mitigation plans and studies;
 - h. documentation of historic flooding events;
 - i. flood mitigation projects already being implemented; and
 - j. any other factors that the RFPG deems relevant to identifying the geographic locations where potential FMEs and potentially feasible FMSs and FMPs shall be identified and evaluated under §361.38.

The information gathered and developed in preparation of this chapter shall be subject to the following review process prior to submission of any deliverables:

1. Review of the chapter documents and related information by RFPG members.
2. Modifications to the chapter document based on RFPG, public, and/or agency comments.
3. Submittal of chapter document to TWDB for review and approval.
4. All effort required to obtain final approval of the RFP chapter by TWDB.

Deliverables:

- Prepare a stand-alone chapter (including work from both Tasks 4A & 4B) to be included in the 2023 RFP.
- A map identifying the geographic locations within the FPR considered to have the greatest flood mitigation and flood risk study needs where potential FMEs and potentially feasible FMSs and FMPs shall be evaluated
- A tabulated list and GIS map of all pertinent information. All maps should be submitted with underlying GIS data utilized to prepare them.

- Any additional deliverables identified in the TWDB Flood Planning guidance documents.

Task 4B – Identification and Evaluation of Potential Flood Management Evaluations and Potentially Feasible Flood Management Strategies and Flood Mitigation Projects

In addition to generally meeting all applicable rules and statute requirements governing regional and state flood planning under 31 TAC Chapters 361 and 362, this portion of work shall, in particular, include all work necessary to meet all the requirements of 31 TAC §361.38.

Based on analyses and decisions under Tasks 2A through 4A the RFPG shall identify and evaluate potential FMEs and potentially feasible FMSs and FMPs, including nature-based solutions, some of which may have already been identified by previous evaluations and analyses by others.

This Task includes, but is not limited to, performing all work in accordance with TWDB rules and guidance required to:

1. Receive public comment on a proposed process to be used by the RFPG to identify and select FMEs, FMSs, and FMPs for the 2023 RFP. Revise and update documentation of the process by which FMS that were identified as potentially feasible and selected for evaluation in the 2023 RFP. Include a description of the process selected by the RFPG in the Technical Memorandum and the draft Regional Flood Plan and adopted RFPs.
2. Plans to be considered in developing this chapter include relevant plans referenced under 31 TAC §361.22.
3. When evaluating FMSs and FMPs the RFPG will, at a minimum, identify one solution that provides flood mitigation associated with a 1.0% annual chance flood event. In instances where mitigating for 1.0% annual chance events is not feasible, the RFPG shall document the reasons for its infeasibility, and at the discretion of the RFPG, other FMSs and FMPs to mitigate more frequent events may also be identified and evaluated based on TWDB Flood Planning guidance documents.
4. A summary of the RFPG process for identifying potential FMEs and potentially feasible FMSs and FMPs shall be established and included in the draft and final adopted RFP.
5. The RFPG shall then identify potentially feasible FMSs and FMPs in accordance with the RFPG established process.
6. For areas within the FPR that the RFPG does not yet have sufficient information or resources to identify potentially feasible FMSs and FMPs, the RFPG shall identify areas for potential FMEs that may eventually result in FMSs and/or FMPs.
7. The RFPG shall evaluate potentially feasible FMSs and FMPs understanding that, upon evaluation and further inspection, some FMSs or FMPs initially identified as potentially feasible may, after further inspection, be reclassified as infeasible.

8. Evaluations of potentially feasible FMSs and FMPs will require associated, detailed hydrologic and hydraulic modeling results that quantify the reduced impacts from flood events and the associated benefits and costs. Information may be based on previously performed evaluations of projects and related information. Evaluations of potentially feasible FMS and FMPs shall include the following information and be based on the following analyses:
 - a. A reference to the specific flood mitigation or floodplain management goal addressed by the feasible FMS or FMP;
 - b. A determination of whether FMS or FMP meets an emergency need;
 - c. An indication regarding the potential use of federal funds, or other sources of funding, as a component of the total funding mechanism;
 - d. An equitable comparison between and consistent assessment of all FMSs and FMPs that the RFPG determines to be potentially feasible;
 - e. A demonstration that the FMS or FMP will not negatively affect a neighboring area;
 - f. A quantitative reporting of the estimated benefits of the FMS or FMP, including reductions of flood impacts of the 1.0% annual chance flood event and other storm events identified and evaluated if the project mitigates to a more frequent event, to include, but not limited to:
 - (1) Associated flood events that must, at a minimum, include the 1.0% annual chance flood event and other storm events identified and evaluated;
 - (2) Reduction in habitable, equivalent living units flood risk;
 - (3) Reduction in residential population flood risk;
 - (4) Reduction in critical facilities flood risk;
 - (5) Reduction in road closure occurrences;
 - (6) Reduction in acres of active farmland and ranchland flood risk;
 - (7) Estimated reduction in fatalities, when available;
 - (8) Estimated reduction in injuries, when available;
 - (9) Reduction in expected annual damages from residential, commercial, and public property; and
 - (10) Other benefits as deemed relevant by the RFPG including environmental benefits and other public benefits.
 - g. A quantitative reporting of the estimated capital cost of FMPs in accordance with TWDB Flood Planning guidance documents;
 - h. Calculated benefit-cost ratio for FMPs in accordance with *Exhibit C: General Guidelines* and based on current, observed conditions;
 - i. For projects that will contribute to water supply, all relevant evaluations required under §357.34(e) (relating to Identification and Evaluation of Potentially Feasible Water Management Strategies and Water Management Strategy Projects), as determined by the EA based on the type of

- contribution, and a description of its consistency with the currently adopted State Water Plan;
- j. A description of potential impacts and benefits from the FMS or FMP to the environment, agriculture, recreational resources, navigation, water quality, erosion, sedimentation, and impacts to any other resources deemed relevant by the RFPG;
 - k. A description of residual, post-project, and future risks associated with FMPs including the risk of potential catastrophic failure and the potential for future increases to these risks due to lack of maintenance;
 - l. Implementation issues including those related to rights-of-way, permitting, acquisitions, relocations, utilities and transportation; and
 - m. Funding sources and options that exist or will be developed to pay for development, operation, and maintenance of the FMS or FMP.
9. Evaluations of potential FMEs will be at a reconnaissance or screening-level, unsupported by associated detailed hydrologic and hydraulic analyses. These will be identified for areas that the RFPG considers a priority for flood risk evaluation but that do not yet have the required detailed hydrologic and hydraulic modeling or associated project evaluations available to evaluate specific FMSs or FMPs for recommendation in the RFP. These FMEs shall be based on recognition of the need to develop detailed hydrologic models or to perform associated hydraulic analyses and associated project evaluations in certain areas identified by the RFPG.

Evaluations of potential FMEs shall include the following analyses:

- a. A reference to the specific flood mitigation or floodplain management goal to be addressed by the potential FME.
- b. A determination of whether FME may meet an emergency need.
- c. An indication regarding the potential use of federal funds, or other sources of funding as a component of the total funding mechanism.
- d. An equitable comparison between and consistent assessment of all FMEs.
- e. An indication of whether hydrologic and or hydraulic models are already being developed or are anticipated in the near future and that could be used in the FME.
- f. A quantitative reporting of the estimated benefits, including reductions of flood risks, to include:
 - (1) Estimated habitable, living unit equivalent and associated population in FME area;
 - (2) Estimated critical facilities in FME area;
 - (3) Estimated number of roads closures occurrences in FME area;
 - (4) Estimated acres of active farmland and rangeland in FME area; and
 - (5) A quantitative reporting of the estimated study cost of the FME and whether the cost includes use of existing or development of new hydrologic or hydraulic models.

- g. For FMEs, RFPGs do not need to demonstrate that an FME will not negatively affect a neighboring area.
10. RFPGs shall evaluate and present potential FMEs and potentially feasible FMSs and FMPs with sufficient specificity to allow state agencies to make financial or regulatory decisions to determine consistency of the proposed action before the state agency with an approved RFP.
11. Analyses shall be performed in accordance with TWDB Flood Planning guidance documents.
12. All data produced as part of the analyses under this task shall be organized and summarized in the RFP in accordance with TWDB Flood Planning guidance documents.
13. Analyses shall clearly designate a representative location of the FME and beneficiaries including a map and designation of HUC8 and county location.

The information gathered and developed in preparation of this chapter shall be subject to the following review process prior to submission of any deliverables:

1. Review of the chapter documents and related information by RFPG members.
2. Modifications to the chapter document based on RFPG, public, and/or agency comments.
3. Submittal of chapter document to TWDB for review and approval.
4. All effort required to obtain final approval of the RFP chapter by TWDB.

Deliverables:

- Prepare a stand-alone chapter (including work from both Tasks 4B & 5) to be included in the 2023 RFP.
- A list of the potentially feasible FMSs and associated FMPs that were identified by the RFPG. The TWDB Flood Planning guidance documents will include minimum data submittal requirements and deliverable format.
- A map identifying the geographic locations within the FPR considered to have the greatest flood mitigation and flood risk study needs where potential FMEs and potentially feasible FMSs and FMPs shall be evaluated. TWDB Flood Planning guidance documents will include minimum data submittal requirements and deliverable format.
- Data shall be organized and summarized in the RFP in accordance with TWDB Flood Planning guidance documents.
- A tabulated list and GIS map of all pertinent information. All maps should be submitted with underlying GIS data utilized to prepare them.
- Any additional deliverables identified in the TWDB Flood Planning guidance documents.

Task 4C – Prepare and Submit Technical Memorandum

In addition to generally meeting all applicable rules and statute requirements governing regional and state flood planning under 31 TAC Chapters 361 and 362, this portion of work shall, in particular, include all work necessary to meet all the requirements of 31 TAC §361.13(e).

This Task includes, but is not limited to, performing all work in accordance with TWDB rules and guidance required to:

1. Prepare a concise Technical Memorandum to include:
 - a. A list of existing political subdivisions within the FPR that have flood-related authorities or responsibilities;
 - b. A list of previous flood studies considered by the RFPG to be relevant to development of the RFP;
 - c. A geodatabase and associated maps in accordance with TWDB Flood Planning guidance documents that the RFPG considers to be best representation of the region-wide 1.0% annual chance flood event and 0.2% annual chance flood event inundation boundaries, and the source of flooding for each area, for use in its risk analysis, including indications of locations where such boundaries remain undefined;
 - d. A geodatabase and associated maps in accordance with TWDB Flood Planning guidance documents that identifies additional flood-prone areas not described in (c) based on location of hydrologic features, historic flooding, and/or local knowledge;
 - e. A geodatabase and associated maps in accordance with TWDB Flood Planning guidance documents that identifies areas where existing hydrologic and hydraulic models needed to evaluate FMSs and FMPs are available;
 - f. A list of available flood-related models that the RFPG considers of most value in developing its plan;
 - g. The flood mitigation and floodplain management goals adopted by the RFPG per §361.36;
 - h. The documented process used by the RFPG to identify potentially feasible FMSs and FMPs;
 - i. A list of potential FMEs and potentially feasible FMSs and FMPs identified by the RFPG, if any; and
 - j. A list of FMSs and FMPs that were identified but determined by the RFPG to be infeasible, including the primary reason for it being infeasible.
2. Approve submittal of the Technical Memorandum to TWDB at a RFPG meeting subject notice requirements in accordance with 31 TAC §361.21(h). The Technical Memorandum must be submitted to TWDB in accordance with Section I Article I of the contract.

Task 5 – Recommendation of Flood Management Evaluations and Flood Management Strategies and Associated Flood Mitigation Projects

In addition to generally meeting all applicable rules and statute requirements governing regional and state flood planning under 31 TAC Chapters 361 and 362, this portion of work shall, in particular, include all work necessary to meet all the requirements of 31 TAC §361.39.

The objective of this task is to evaluate and recommend Flood Management Evaluations (FMEs), Flood Management Strategies (FMSs) and their associated Flood Mitigation Projects (FMPs) to be included in the 2023 RFP that describes the work completed, presents the potential FMEs, potentially feasible FMSs and FMPs, recommended and alternative FMSs and FMPs, including all the technical evaluations, and presents which entities will benefit from the recommended FMSs and FMPs.

Work associated with any Task 5 subtasks shall be contingent upon a written notice-to-proceed. This Task includes, but is not limited to, performing all work in accordance with TWDB rules and guidance required to:

1. Recommend FMSs and FMPs to reduce the potential impacts of flood based on the evaluations under §361.38 and RFPG goals and that must, at a minimum, mitigate for flood events associated with at 1.0 percent annual chance (100-yr flood) where feasible. In instances where mitigating for 100-year events is not feasible, FMS and FMPs to mitigate more frequent events may be recommended based on TWDB Flood Planning guidance documents. Recommendations shall be based upon the identification, analysis, and comparison of alternatives that the RFPG determines will provide measurable reductions in flood impacts in support of the RFPG's specific flood mitigation and/or floodplain management goals.
2. Provide additional information in conformance with TWDB Flood Planning guidance documents which will be used to rank recommended FMPs in the state flood plan.
3. Recommend FMEs that the RFPG determines are most likely to result in identification of potentially feasible FMSs and FMPs that would, at a minimum, identify and investigate one solution to mitigate for flood events associated with a 1.0% annual chance flood event and that support specific RFPG flood mitigation and/or floodplain management goals.
4. Recommended FMSs or FMPs may not negatively affect a neighboring area or an entity's water supply.
5. Recommended FMSs or FMPs that will contribute to water supply may not result in an overallocation of a water source based on the water availability allocations in the most recently adopted State Water Plan.
6. Specific types of FMEs, FMSs, or FMPs that should be included and that should not be included in RFPs must be in accordance with TWDB Flood Planning guidance documents.

7. FMS and FMP documentation shall include a strategy or project description, discussion of associated facilities, project map, and technical evaluations addressing all considerations and factors required under 31 TAC §361.38(h).
8. Coordinate and communicate with FME, FMS, and FMP sponsors, individual local governments, regional authorities, and other political subdivisions.
9. Process documentation of selecting all recommended FMSs and associated FMPs including development of FMS evaluations matrices and other tools required to assist the RFPG in comparing and selecting recommended FMSs and FMPs.
10. Document the evaluation and selection of all recommended FMS and FMPs, including an explanation for why certain types of strategies may not have been recommended.

The information gathered and developed in preparation of this chapter shall be subject to the following review process prior to submission of any deliverables:

1. Review of the chapter documents and related information by RFPG members.
2. Modifications to the chapter document based on RFPG, public, and/or agency comments.
3. Submittal of chapter document to TWDB for review and approval.
4. All effort required to obtain final approval of the RFP chapter by TWDB.

Deliverables:

- Prepare a stand-alone chapter (including work from both Tasks 4B & 5) to be included in the 2023 RFP to include technical analyses of all evaluated FMSs and FMPs.
- A list of the recommended FMEs, FMSs, and associated FMPs that were identified by the RFPG. TWDB Flood Planning guidance documents will include minimum data submittal requirements and deliverable format.
- Data shall be organized and summarized in the RFP in accordance with TWDB Flood Planning guidance documents.
- A tabulated list and GIS map of all pertinent information. All maps should be submitted with underlying GIS data utilized to prepare them.
- Any additional deliverables identified in the TWDB Flood Planning guidance documents.

Task 6A – Impacts of Regional Flood Plan

In addition to generally meeting all applicable rules and statute requirements governing regional and state flood planning under 31 TAC Chapters 361 and 362, this portion of work shall, in particular, include all work necessary to meet all the requirements of 31 TAC §361.40.

This Task includes, but is not limited to, performing all work in accordance with TWDB rules and guidance required to include:

Draft RFP Scope of Work

1. a region-wide summary of the relative reduction in flood risk that implementation of the RFP would achieve within the region including with regard to life, injuries, and property.
2. a statement that the FMPs in the plan, when implemented, will not negatively affect neighboring areas located within or outside of the FPR.
3. a general description of the types of potential positive and negative socioeconomic or recreational impacts of the recommended FMSs and FMPs within the FPR.
4. a general description of the overall impacts of the recommended FMPs and FMSs in the RFP on the environment, agriculture, recreational resources, water quality, erosion, sedimentation, and navigation.

The information gathered and developed in preparation of this chapter shall be subject to the following review process prior to submission of any deliverables:

1. Review of the chapter documents and related information by RFPG members.
2. Modifications to the chapter document based on RFPG, public, and/or agency comments.
3. Submittal of chapter document to TWDB for review and approval.
4. All effort required to obtain final approval of the RFP chapter by TWDB.

Deliverables: Prepare a stand-alone chapter (including work from both Tasks 6A & 6B) to be included in the 2023 RFP. Any additional deliverables identified in the TWDB Flood Planning guidance documents.

Task 6B – Contributions to and Impacts on Water Supply Development and the State Water Plan

In addition to generally meeting all applicable rules and statute requirements governing regional and state flood planning under 31 TAC Chapters 361 and 362, this portion of work shall, in particular, include all work necessary to meet all the requirements of 31 TAC §361.41.

This Task includes, but is not limited to, performing all work in accordance with TWDB rules and guidance required to:

1. Include a region-wide summary and description of the contribution that the regional flood plan would have to water supply development including a list of the specific FMSs and FMPs that would contribute to water supply.
2. Include a description of any anticipated impacts, including to water supply or water availability or projects in the State Water Plan, that the regional flood plan FMSs and FMPs may have.

The information gathered and developed in preparation of this chapter shall be subject to the following review process prior to submission of any deliverables:

1. Review of the chapter documents and related information by RFPG members.
2. Modifications to the chapter document based on RFPG, public, and/or agency comments.
3. Submittal of chapter document to TWDB for review and approval.
4. All effort required to obtain final approval of the RFP chapter by TWDB.

Deliverables: Prepare a stand-alone chapter (including work from both Tasks 6A & 6B) to be included in the 2023 RFP. Any additional deliverables identified in the TWDB Flood Planning guidance documents.

Task 7 – Flood Response Information and Activities

In addition to generally meeting all applicable rules and statute requirements governing regional and state flood planning under 31 TAC Chapters 361 and 362, this portion of work shall, in particular, include all work necessary to meet all the requirements of 31 TAC §361.42.

This Task includes, but is not limited to, performing all work in accordance with TWDB rules and guidance required to:

1. Summarize the nature and types of flood response preparations within the FPR including providing where more detailed information is available regarding recovery.
2. Coordinate and communicate, as necessary, with entities in the region to gather information.
3. RFPGs shall not perform analyses or other activities related to planning for disaster response or recovery activities.
4. Plans to be considered in developing this chapter include relevant plans referenced under 31 TAC §361.22.

The information gathered and developed in preparation of this chapter shall be subject to the following review process prior to submission of any deliverables:

1. Review of the chapter documents and related information by RFPG members.
2. Modifications to the chapter document based on RFPG, public, and/or agency comments.
3. Submittal of chapter document to TWDB for review and approval.
4. All effort required to obtain final approval of the RFP chapter by TWDB.

Deliverables: Prepare a stand-alone chapter to be included in the 2023 RFP. Any additional deliverables identified in the TWDB Flood Planning guidance documents.

Task 8 – Administrative, Regulatory, and Legislative Recommendations

In addition to generally meeting all applicable rules and statute requirements governing regional and state flood planning under 31 TAC Chapters 361 and 362, this portion of work shall, in particular, include all work necessary to meet all the requirements of 31 TAC §361.43.

The objective of this task is to prepare a separate chapter to be included in the 2023 RFP that presents the RFPG's administrative, legislative, and regulatory recommendations.

This Task includes, but is not limited to, performing all work in accordance with TWDB rules and guidance required to develop:

1. Legislative recommendations that they consider necessary to facilitate floodplain management and flood mitigation planning and implementation.
2. Other regulatory or administrative recommendations that they consider necessary to facilitate floodplain management and flood mitigation planning and implementation.
3. Any other recommendations that the RFPG believes are needed and desirable to achieve its regional flood mitigation and floodplain management goals.
4. Recommendations regarding potential, new revenue-raising opportunities, including potential new municipal drainage utilities or regional flood authorities, that could fund the development, operation, and maintenance of floodplain management or flood mitigation activities in the region.

The information gathered and developed in preparation of this chapter shall be subject to the following review process prior to submission of any deliverables:

1. Review of the chapter documents and related information by RFPG members.
2. Modifications to the chapter document based on RFPG, public, and/or agency comments.
3. Submittal of chapter document to TWDB for review and approval.
4. All effort required to obtain final approval of the RFP chapter by TWDB.

Deliverables: Prepare a stand-alone chapter to be included in the 2023 RFP. Any additional deliverables identified in the TWDB Flood Planning guidance documents.

Task 9 – Flood Infrastructure Financing Analysis

In addition to generally meeting all applicable rules and statute requirements governing regional and state flood planning under 31 TAC Chapters 361 and 362, this portion of work shall, in particular, include all work necessary to meet all the requirements of 31 TAC §361.44.

The objective of this task is to report on how sponsors of recommended FMPs propose to finance projects.

This Task includes, but is not limited to, performing all work in accordance with TWDB rules and guidance required to:

1. Coordinate and communicate with individual local governments, regional authorities, and other political subdivisions.
2. Perform a survey, including the following work:
 - a. Contacting FME and FMP sponsors.

- b. Collection and collation of data.
 - c. Documentation of the effectiveness of survey methodology, providing percent survey completions, and whether an acceptable minimum percent survey completion was achieved.
 - d. Submission of data.
3. Coordinate with FME and FMP sponsors as necessary to ensure detailed needs and costs associated with their anticipated evaluations and projects are sufficiently represented in the RFP for future funding determinations.
 4. Assist the RFPG with the development of recommendations regarding the proposed role of the State in financing flood infrastructure projects identified in the RFP.
 5. Summarize the survey results.

The information gathered and developed in preparation of this chapter shall be subject to the following review process prior to submission of any deliverables:

1. Review of the chapter documents and related information by RFPG members.
2. Modifications to the chapter document based on RFPG, public, and/or agency comments.
3. Submittal of chapter document to TWDB for review and approval.
4. All effort required to obtain final approval of the RFP chapter by TWDB.

Deliverables: A completed Chapter 9 shall be delivered in the 2023 RFP to include summary of reported financing approaches for all recommended FMPs. Data shall be submitted in accordance with TWDB guidance documents. Any additional deliverables identified in the TWDB Flood Planning guidance documents.

Task 10 – Public Participation and Plan Adoption

The objective of this task is to address public participation, public meetings, eligible administrative and technical support activities, and other requirements and activities eligible for reimbursement. Objectives also include activities necessary to complete and submit a draft RFP and final RFP, and obtain TWDB approval of the RFP.

This Task includes, but is not limited to, performing all work in accordance with TWDB rules and guidance required to:

1. In addition to generally meeting all applicable statute requirements governing regional and state flood planning this portion of work shall, in particular, include all technical and administrative support activities necessary to meet all the requirements of 31 TAC Chapters 361 and 362 that are not already addressed under the scope of work associated with other contract Tasks but that are necessary and or required to complete and deliver an draft Regional Flood Plan and final, adopted RFP to TWDB and obtain approval of the adopted RFP by TWDB.
2. Organization, support, facilitation, and documentation of all meetings/hearings associated with: preplanning meeting; consideration of a substitution of alternative flood management strategies; public hearing after adoption of the draft Regional

Flood Plan and prior to adoption of the final RFP; and consideration of RFP amendments, alternative FMS substitutions, or Board-directed revisions.

Technical Support and Administrative Activities

1. RFPGs shall support and accommodate periodic presentations by the TWDB for the purpose of orientation, training, and retraining as determined and provided by the TWDB during regular RFPGRWPG meetings.
2. Attendance and participation of technical consultants at RFPG, subgroup, subcommittees, special and or other meetings and hearings including preparation and follow-up activities.
3. Developing technical and other presentations and handout materials for regular and special meetings to provide technical and explanatory data to the RFPG and its subcommittees, including follow-up activities.
4. Administrative and technical support and participation in RFPG activities, and documentation of any RFPG workshops, work groups, subgroup and/or subcommittee activities.
5. Technical support and administrative activities associated with periodic and special meetings of the RFPG including developing agendas and coordinating activities for the RFPG.
6. Provision of status reports to TWDB for work performed under this Contract.
7. Development of draft and final responses for RFPG approval to public questions or comments as well as approval of the final responses to comments on RFP documents.
8. Intraregional and interregional coordination and communication, and or facilitation required within the FPR and with other RFPGs to develop a RFP.
9. Incorporation of all required data and reports into RFP document.
10. Modifications to the RFP documents based on RFPG, public, and or agency comments.
11. Preparation of a RFP chapter summarizing Task 10 activities including review by RFPG and modification of document as necessary.
12. Development and inclusion of Executive Summaries in both draft Regional Flood Plan and final RFP.
13. Production, distribution, and submittal of all draft and final RFP-related planning documents for RFPG, public and agency review, including in hard-copy format when required.
14. Assembling, compiling, and production of the completed draft Regional Flood Plan and Final Regional Flood Plan document(s) that meet all requirements of statute, 31 TAC Chapters 361 and 362, Contract and associated guidance documents.
15. Submittal of the RFP documents in both hard copy and electronic formats to TWDB for review and approval; and all effort required to obtain final approval of the RFP by TWDB.

Other Activities

Draft RFP Scope of Work

1. Review of all RFP-related documents by RFPG members.
2. Development and maintenance of a RFPG website or RFPG-dedicated webpage on the RFPG administrator's website for posting planning group meeting notices, agendas, materials, and plan information.
3. Limited non-labor, direct costs associated with maintenance of the RFPG website.
4. Development of agendas, presentations, and handout materials for the public meetings and hearings to provide to the general public.
5. Documentation of meetings and hearings to include recorded minutes and/or audio recordings as required by the RFPG bylaws and archiving and provision of minutes to public.
6. Preparation and transmission of correspondence, for example, directly related to public comments on RFP documents.
7. Promoting consensus decisions through conflict resolution efforts including monitoring and facilitation required to resolve issues between and among RFPG members and stakeholders in the event that issues arise during the process of developing the RFP, including mediation between RFPG members, if necessary.
8. RFPG membership solicitation activities.
9. Meeting all posting, meeting, hearing and other public notice requirements in accordance with the open meetings act, statute, and 31 TAC §361.21 and any other applicable public notice requirements.
10. Solicitation, review, and dissemination of public input, as necessary.
11. Any efforts required, but not otherwise addressed in other SOW tasks that may be required to complete an RFP in accordance with all statute and rule requirements.

Deliverables:

- A completed Chapter 10 summarizing public participation activities and appendices with public comments and RFPG responses to comments.
- Complete draft Regional Flood Plan and final, adopted RFP documents.
- Any additional deliverables identified in the TWDB Flood Planning guidance documents.

Region 1 Canadian-Upper Red

PO Box 9257
Amarillo, Texas 79105

Regional Flood Planning Group

P: (806) 372-3381
F: (806) 373-3268

Memorandum

To: Region 1 Canadian-Upper Red Regional Flood Planning Group Meeting
From: Dustin Meyer, Local Government Services Director
Date: January 14, 2021
Re: Agenda Item #7

Discuss and Action as Appropriate –

Consideration of nomination for electing regional flood planning group officers to include: Chair, Vice Chair, Secretary, Executive Committee.

- a. Nominations for Officers can be considered via a slate or individually.
- b. Discussion and consideration of election of current officers.
- c. Nomination for Executive Committee members.
- d. Discussion and consideration of election of Executive Committee members.

Article VIII of the Bylaws states, "the terms of the initial officers...shall expire when the regular officers take office" and "regular officers shall be selected at the first meeting of each calendar year after the calendar year in which these bylaws were adopted."

Initial Officers			
Chair	Floyd Hartman	<i>Water Utilities</i>	City of Amarillo
Vice Chair	Joe Shehan	<i>Small Business</i>	J Shehan Engineering
Secretary	Kyle Schniederjan	<i>Municipalities</i>	City of Amarillo
Exec. Committee	Jeff Watts	<i>Counties</i>	Wichita County
Exec. Committee	Tracy Mesler	<i>Water Districts</i>	Upper Trinity GCD

Attachment: Article VIII Sections 1 & 2 of the Region 1 Canadian-Upper Red RFPG Bylaws

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 1 Canadian-Upper Red 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 meeting following 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. 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 1 Canadian-Upper Red 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

Region 1 Canadian-Upper Red

PO Box 9257
Amarillo, Texas 79105

Regional Flood Planning Group

P: (806) 372-3381
F: (806) 373-3268

Memorandum

To: Region 1 Canadian-Upper Red Regional Flood Planning Group Meeting
From: Dustin Meyer, Local Government Services Director
Date: January 14, 2021
Re: Agenda Item #8

Discuss and Action as Appropriate –

Consideration of appointment to fill the vacant Voting RFPG Member Seats, full solicitation issued in accordance with Region-1 Bylaws.

Positions for consideration include: Agricultural, Municipal, Counties, Flood District and Electric Generating Utilities.

- a. Public Comments (Public comments limited to 3 minutes per speaker).**
- b. Discussion, nomination and consideration of individuals to fill the Agriculture Seat.**
 - Nomination for Layne Chapman with the Texas Farm Bureau.
- c. Discussion, nomination and consideration of individuals to fill the Municipal Seat.**
 - Nomination for Danny Cornelius with the City of Canyon.
 - Nomination for Russell Schreiber with the City of Wichita Falls.
- d. Discussion, nomination and consideration of individuals to fill the Counties Seat.**
 - No nominations received prior to the development of this document.
- e. Discussion, nomination and consideration of individuals to fill the Flood District Seat.**
 - Nomination for Carolann Corado with the Farmers Creek Watershed Authority.
- f. Discussion, nomination and consideration of individuals to fill the Electric Generating Utilities.**
 - Nomination for Glen Green with Xcel Energy.

Attachments: Submitted Nomination Materials

Response to Member Solicitation

Nominee for Agricultural Interest Category

Layne Chapman

Chapman and Sons, LLC

Owner/Operator

Texas Farm Bureau

Attachment: Nomination Email, Letter of Intent & Resume

From: Jay Bragg <jbragg@txfb.org>
To: Dustin Meyer <dmeyer@theprpc.org>
Subject: Region 1 Flood Planning Group Nomination

Dustin,

Texas Farm Bureau would like to nominate Layne Chapman of Vernon to the Region 1 Flood Planning Group. Layne is an active member of Texas Farm Bureau and leader within our organization. We believe that he would be a great asset to the Planning Group.

Attached is his Resume and Cover Letter.

We greatly appreciate the Executive Committee's consideration of this nomination.

Sincerely,
Jay

Jay Bragg
Associate Director
Commodity and Regulatory Activities
254.751.2234
254.751.2418 (Fax)
jbragg@txfb.org



P.O. Box 2689
Waco, TX 76702-2689
WWW.TEXASFARBUREAU.ORG

CONFIDENTIALITY STATEMENT: The foregoing message (including attachments) is covered by the Electronic Communication Privacy Act, 18 U.S.C. sections 2510-2521, and is CONFIDENTIAL. If you believe that it has been sent to you in error, do not read it. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. Please reply to the sender that you have received the message in error, then delete it. Thank you.

LAYNE CHAPMAN

PO Box 1754 Vernon, TX 76385

940-839-7679

layne.chapman@ymail.com

01/01/2021

Region 1 Canadian Upper Red RPFPG C/O Dustin Meyer
PRPC
PO BOX 9257
Amarillo, TX 79105

Executive Committee of the Region 1 Canadian-Upper Red RPFPG:

I appreciate the opportunity for consideration of appointment to the planning group. I am a lifelong farmer and rancher in Wilbarger county. I personally know the challenges that are faced in planning for tomorrow as I represent the fifth generation of my family in production agriculture.

Currently, I produce cotton and grain in Hardeman and Wilbarger counties. My irrigation comes from the Seymour aquifer, captured water from an irrigation permit, and water pumped from the Red River Valley. It is my personal obligation to see that my water is allocated effectively and efficiently on a yearly basis. In my short career I have seen the changes that happen with management and restriction. I also recognize that tomorrows outcomes are a result of our decisions.

Sincerely,

Layne Chapman

LAYNE CHAPMAN

PO Box 1754 Vernon, TX 940-839-7679 layne.chapman@ymail.com

EDUCATION

B.S AGRICULTURE AND APPLIED ECONOMICS

Texas Tech University 2009

Vernon High School

2004

EXPERIENCE

Chapman and Sons LLC

Owner/Operator

15 years in production agriculture.

-Currently produce cotton, corn and wheat in Wilbarger and Hardeman county.

-Focus on land and irrigation management

-Using emerging technologies to improve production and efficiency

Awards and Acknowledgements

Outstanding Young Farmer and Rancher

Texas Farm Bureau 2017

Ag Lead

Leadership Development 2016

Chairman of Young Farmer and Rancher Committee

Texas Farm Bureau 2015

Discussion Meet Winner

Texas Farm Bureau 2014

Response to Member Solicitation

Nominee for Municipal Interest Category

Danny Cornelius

City of Canyon

Director of Planning & Development

Attachment: Letter of Intent & Qualifications



December 30, 2020

Executive Committee
Region 1 Canadian-Upper Red Regional Flood Planning Group
c/o Dustin Myer, PRPC
PO Box 9257, Amarillo, TX 79105
RE: Voting Member Nominations

Dear Executive Committee,

I wish to express my interest in filling the Municipalities - Voting Member position on the Region 1 Canadian-Upper Red Regional Flood Planning Group as a representative of the City of Canyon.

I currently serve as the Director of Planning and Development for the City of Canyon. As part of my responsibilities, I have acted as Floodplain Manager for the city since 2007. I am a Certified Floodplain Manager and have been since 2002.

I have been employed with City of Canyon for 32 years with 25 years in the Planning and Development Department and 14 years as the Director of Planning and Development.

My duties include:

- Planning and Zoning
- Building Safety
- Floodplain Management
- Code Enforcement

Certifications/Licenses

- Certified Floodplain Manager
- Texas Licensed Plumbing Inspector
- ICC Certified Commercial Building Inspector
- ICC Certified Residential Combination Inspector
- ICC Certified Commercial and Residential Energy Inspector
- ICC Certified Residential Electrical Inspector
- Texas Registered Code Enforcement Officer

Thank you for your consideration.

Sincerely,

Danny Cornelius

Director of Planning & Development
301 16th Street
City of Canyon, TX 79015
806-655-5014 Ext 228
dcornelius@canyontx.com

Response to Member Solicitation

Nominee for Municipal Interest Category

Russell Schreiber, P.E.

City of Wichita Falls

Public Works Director

Attachment: Nomination Letter



OFFICE OF THE CITY MANAGER

December 1, 2020

Region 1 Canadian/Upper Red RFPG
Attn: Dustin Meyer
P.O. Box 9257
Amarillo, Texas 79105

Re: Nomination for the RFPG

To the Executive Committee:

The City of Wichita Falls would like to nominate Russell Schreiber, P.E. to fill the open “municipalities” position on this regional planning group. Mr. Schreiber is the Public Works Director and one of his duties includes stormwater management for the City.

In addition, his department serves as the City’s flood plain administrator. Russell plays a key role manning the Emergency Operations Center during flood events within the city and is extremely knowledgeable of all the flood prone areas inside our city. His department also manages the City’s Stormwater Utility and has prepared a Drainage Master Plan for the City. The engineering department, which is also under his leadership, performs the hydraulic and hydrologic analysis, as well as the design for most of the drainage improvements that are constructed within the city.

Russell currently serves as the Chair of the Regional Water Planning Group for Region B; therefore, he has extensive experience with the processes used to develop the state water plan. It is our understanding the state flood plan is being modeled after the state water plan so his experience will allow him to immediately contribute to this process.

Mr. Schreiber’s knowledge of flood plains, flood issues within our city, as well as his overall engineering expertise, make him a perfect candidate to fill this position.

Respectfully;


Darron Leiker
City Manager
City of Wichita Falls

Response to Member Solicitation

Nominee for Flood District Interest Category

Carolann Corado

Upper Elm Red Soil and Water Conservation District
Farmers Creek Watershed Authority

District Manager

Attachment: Nomination Email & Resume

From: Scott Carpenter <cfarms2@yahoo.com>

Date: December 29, 2020 at 7:51:58 PM CST

To: dmyer@theprpc.org

Subject: Carolann Corado nomination

Sir,

It is my pleasure to recommend Carolann Corado for a position on the Regional Flood committee. Carolann works tirelessly with producers and community leaders in multiple counties to ensure soil and water conservation is held to its highest level. I've witnessed at numerous meetings either local or at the state level Carolann would listen to others ideas before expressing her own opinion and would side with what was best for all parties involved. As Vice President of Farmers Creek Watershed and board member of the Upper Elm Red Soil and Water Conservation District I would again ask for Carolann to be considered for a Flood District seat. Please contact me at 940-841-2333 or cfarms2@yahoo.com if I can be any assistance.

Scott Carpenter
5046 Carpenter Rd
Nocona TX 76255

CORADO, CAROLANN

OBJECTIVE To perform any duties necessary to become familiar with the way a company operates.

SKILLS & ABILITIES

- Customer Service
- Oversees other employees
- Works Well With Others
- Bookkeeping
- Payroll
- General Office Duties
- Field Work
- Computer Savvy
- Professional Presentation

EXPERIENCE **DISTRICT TECHNICIAN, UPPER ELM-RED SOIL & WATER CONSERVATION DISTRICT**

October 1991 to May 1994

Worked with Natural Resources Conservation Service employees going to the field and staking ponds, terraces, etc. Worked with farmers and ranches in developing conservation plans for their property.

DISTRICT MANAGER, UPPER ELM-RED SOIL & WATER CONSERVATION DISTRICT

May 1994 to Present

Assumed all the responsibilities for the daily operation of the district. Complete all the paperwork and financial reports to be sent to the Texas State Soil & Water Conservation Board. Answer to a five person elected district board on the operation of district operations.

DISTRICT CLERK, DENTON COUNTY SOIL & WATER CONSERVATION DISTRICT

September 1995 to Present

Answer to a five person elected district board.

Do all the record keeping and financial reports for the district. Send quarterly reports to the Texas State Soil & Water Conservation Board.

DISTRICT CLERK, JACK SOIL & WATER CONSERVATION DISTRICT

Record keeping and financial reports for the district.

Answer to a five person elected district board.

Help with the annual land/range contest that has been happening for 60 years.

EDUCATION **FORESTBURG HIGH SCHOOL**

Graduated in May 1966. Graduated in the top 5 in the class.

LEADERSHIP President of the Association of Texas Conservation District Employees

Started a scholarship program for high school seniors who have parents or grandparents that work for a conservation district in Texas. Each student has

the opportunity to apply for and hopefully receive a five hundred (\$500.00) dollar scholarship sent to the college or trade school of their choice.

President of the South Central Region (Texas, Arkansas, Oklahoma & Louisiana) District Employees Association.

Secretary of the Texas State Wildlife Alliance for Youth. We host several youth contests across the State of Texas. There are approximately 250 FFA and 4H students that attend these contests yearly. Scholarships are given to the top individuals and teams in several categories related to the contests.

AWARDS

Received an Honorary Lone Star FFA Degree from the Future Farmers of America in 2014

Received a Certificate of Appreciation in recognition of commendable performance and leadership in promoting and conducting the Wildlife and Recreational Management Career Development Event in Zone 5.

Received the Texas Conservation District Employee for Area 5 in 2001 and 2007.

Received a Meritorious Service Award from the Grazing Lands Conservation Initiative in 2007

Received a Special Award from the Vocational Agriculture Teachers Association of Texas in 2006

Response to Member Solicitation

Nominee for Electric Generating Utilities

Interest Category

Glen Green

Xcel Energy

Laboratory Supervisor/Manager

Attachment: Resume

Glen Green
Manager Environmental Services

EDUCATION

B.Sc.: Chemistry, West Texas State University, Canyon, TX-1990
M.Sc.: Chemistry, West Texas A&M University, Canyon, TX-1992
M.Sc.: Agronomy, Iowa State University, Ames, IA-2005
MBA.: West Texas A&M University, Canyon, TX-2005
PhD.: West Texas A&M University, Canyon, TX-2016

WORK EXPERIENCE

Xcel Energy

2006-Present Laboratory Supervisor/Manager-Xcel Energy (Southwestern Public Service)

Manage analytical laboratory staff consisting of 6 lab chemists and 3 field personnel. Fully implemented QA/QC program within the laboratory. Involved with the TNI Field Activities Committee. Worked with TNI subgroup to develop lead accreditation guidelines. Developed and implemented company wide lubricating oil monitoring program.
Radiation Safety Officer.

2000-2006 System Chemist-Xcel Energy (Southwestern Public Service)

Responsible for laboratory testing of environmental samples for electric utility for waste classification purposes. Begin implementation of quality assurance program in the laboratory. Bulk asbestos analysis. Asbestos building inspector.

New Century Energy

1997-2000 Chemist-New Century Energy (Southwestern Public Service)

Responsible for laboratory testing of environmental samples for electric utility for classification purposes. Began implementation of quality assurance program in the laboratory. Bulk asbestos analysis. Asbestos building inspector.

Southwestern Public Service Company, Amarillo, TX

1994-1997 Environmental Chemist-Southwestern Public Service

Responsibilities include all annual water sampling at the power plants, residential water sampling and well level measurements, monthly wastewater Samples. Soil sampling and remediation work at plants utilizing irrigation disposal practices. Bulk asbestos analysis. Depth moisture monitoring. Leak detection monitoring according to the underground storage tank guidelines. Managing and disposition of all solid and hazardous waste for the laboratory.

1992-1994 Chemical Specialist-Southwestern Public Service

Responsibilities include annual water sampling at the power plants, residential water sampling and well level measurements, monthly wastewater samples complex. Soil sampling and remediation work at plants utilizing irrigation disposal practices. Bulk asbestos analysis. Depth moisture monitoring. Manage waste accumulation at the laboratory.

- *Currently serving on the Region- A: Panhandle Water Planning Group*

Region 1 Canadian-Upper Red

PO Box 9257
Amarillo, Texas 79105

Regional Flood Planning Group

P: (806) 372-3381
F: (806) 373-3268

Memorandum

To: Region 1 Canadian-Upper Red Regional Flood Planning Group Meeting
From: Dustin Meyer, Local Government Services Director
Date: January 14, 2021
Re: Agenda Item #9

Discuss and Action as Appropriate –

Consideration of appointment to fill the vacant Non-Voting Transportation Representative Seat, solicitation issued in accordance with Region-1 bylaws. Positions for consideration include: TxDOT Representative and an At-Large Representative.

- a. **Public Comments (Public comments limited to 3 minutes per speaker)**
- b. **Update from the PRPC and Discussion on individuals to fill the Transportation Seat (TxDOT)**
 - No nominations received prior to the development of this document.
 - A TxDOT representative may be in attendance of the meeting.
- c. **Discussion, nomination and consideration of individuals to fill the Transportation Seat (At-Large)**
 - No nominations received prior to the development of this document.
 - A BNSF representative may be in attendance of the meeting.

Attachments: None

Region 1 Canadian-Upper Red

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Regional Flood Planning Group

P: (806) 372-3381
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Memorandum

To: Region 1 Canadian-Upper Red Regional Flood Planning Group Meeting
From: Dustin Meyer, Local Government Services Director
Date: January 14, 2021
Re: Agenda Item #10

Discuss and Action as Appropriate –

Consideration of designating a non-voting member liaison to the Region 2 Lower Red-Sulphur-Cypress RFPG.

- a. **Public Comments (Public comments limited to 3 minutes per speaker).**
- b. **Discussion and consideration of individual to be the Region 2 liaison.**

Article VI, Section 1 of the Canadian-Upper Red RFPG Bylaws outlines the necessity of including members designated by upstream or downstream RFPGs.

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 1 Canadian-Upper Red FPR, the Region 1 Canadian-Upper Red RFPG must designate a non-voting member liaison to coordinate with the upstream or downstream RFPG.

Attachments: 31 Texas Administrative Code - Chapter 361.11(f)(8)

Texas Administrative Code

TITLE 31	NATURAL RESOURCES AND CONSERVATION
PART 10	TEXAS WATER DEVELOPMENT BOARD
CHAPTER 361	REGIONAL FLOOD PLANNING
SUBCHAPTER A	GENERAL INFORMATION
RULE §361.11	Designations and Governance of Flood Planning Regions

(a) Once initially designated, the Board may review and update the boundary designations of FPRs as necessary, on its own initiative or upon recommendation of the EA.

(b) If upon FPR boundary designation review the Board determines that revisions to the boundaries are necessary, the Board shall designate areas for which RFPs shall be developed, taking into consideration factors such as:

- (1) River basin and sub-watershed delineations;
- (2) Hydrologic features of river basins;
- (3) Coastal basins and features;
- (4) Existing FPRs;
- (5) Development patterns;
- (6) Public comment; and
- (7) Other factors the Board deems relevant.

(c) The Board shall designate an individual member for each of the twelve positions, required in subsection (e), for the initial RFPGs.

(d) After the Board names members of the initial RFPG, the EA will provide to each member of the initial RFPG a set of model bylaws. The initial RFPGs shall consider and adopt, by two-thirds vote, bylaws that are consistent with provisions of this chapter, Texas Water Code Section 16.062, and Government Code Chapter 551 and 552. The RFPG shall provide copies of its bylaws and any revisions thereto to the EA. The bylaws adopted by the RFPG shall at a minimum address the following elements:

- (1) methods of formation and governance of executive committee, or subcommittees or subgroups;
- (2) definition of a quorum necessary to conduct business;
- (3) methods to approve items of business including adoption of RFPs or amendments thereto;
- (4) methods to name additional voting and non-voting members;
- (5) terms, conditions, and limits of membership including the terms of member removal;
- (6) any additional notice provisions that the RFPG chooses to include;
- (7) methods to record and preserve minutes;

(8) methods to resolve disputes between RFPG members on matters coming before the RFPG;

(9) procedures for handling confidential information; and

(10) other procedures deemed relevant by the RFPG.

(e) RFPGs shall at all times, maintain each of the required positions listed below. However, if a FPR does not have an interest in the category below, then the RFPG shall so advise the Executive Administrator and an individual member designation may not be required.

(1) Public, defined as those persons or entities having no economic or other direct interest in the interests represented by the remaining membership categories;

(2) Counties, defined as the county governments for the 254 counties in Texas;

(3) Municipalities, defined as governments of cities created or organized under the general, home-rule, or special laws of the state;

(4) Industries, such as corporations, partnerships, sole proprietorships, or other legal entities that are formed for the purpose of making a profit and that are not small businesses;

(5) Agricultural interests, defined as those persons or entities associated with the production or processing of plant or animal products;

(6) Environmental interests, defined as those persons or groups advocating for the protection or conservation of the state's natural resources, including but not limited to soil, water, air, and living resources;

(7) Small businesses, defined as corporations, partnerships, sole proprietorships, or other legal entities that are formed for the purpose of making a profit, are independently owned and operated, and have either fewer than 500 employees and or less than \$10 million in gross annual receipts;

(8) Electric generating utilities, defined as any persons, corporations, cooperative corporations, or any combination thereof, meeting each of the following three criteria: own or operate for compensation equipment or facilities which produce or generate electricity; produce or generate electricity for either wholesale or retail sale to others; and are neither a municipal corporation nor a river authority; this category may include a transmission and distribution utility;

(9) River authorities, defined as any districts or authorities created by the legislature that contain areas within their boundaries of one or more counties and that are governed by boards of directors appointed or designated in whole or part by the governor, including without limitation the San Antonio River Authority and the Palo Duro River Authority;

(10) Flood Districts, defined as any districts or authorities, created under authority of either Texas Constitution, Article III, §52(b)(1) and (2), or Article XVI, §59 including all Chapter 49 districts, particularly districts with flood management responsibilities, including drainage districts, levee improvement districts, but does not include river authorities;

(11) Water Districts, defined as any districts or authorities, created under authority of either Texas Constitution, Article III, §52(b)(1) and (2), or Article XVI, §59 including all Chapter 49 districts, particularly districts with flood management responsibilities, including municipal utility districts, freshwater supply districts, and regional water authorities, but does not include drainage districts, levee improvement districts, river authorities;

(12) Water Utilities, defined as any persons, corporations, cooperative corporations, or any combination thereof that provide water supplies for compensation except for municipalities, river authorities, or water districts; and

(13) At their the discretion, of the RFPGs may include, additional voting positions upon a two-thirds vote of all of the existing voting positions to ensure adequate representation from the interests in the FPR.

(f) The RFPG shall include the following non-voting members, as designated by the head of their agency for paragraphs (1) - (7) of this subsection, who shall receive meeting notifications and information in the same manner as voting members:

(1) Staff member of the TWDB;

(2) Staff member of the Texas Commission on Environmental Quality;

(3) Staff member of the General Land Office;

(4) Staff member of the Texas Parks and Wildlife Department;

(5) Staff member of the Texas Department of Agriculture;

(6) Staff member of the State Soil and Water Conservation Board;

(7) Staff member of the Texas Division of Emergency Management;

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

(9) For FPRs that touch the Gulf Coast, member liaisons designated by each RFPG representing coastal portions of FPRs to coordinate with neighboring FPRs along the Gulf Coast. This non-voting position member liaison may, at the discretion of the RFPG, be met by a voting member that also meets another position requirement under subsection (e) of this section.

(g) Each RFPG may consider including a non-voting position designated by each RFPG to represent regional or local transportation authorities.

(h) Each RFPG shall provide a current list of its voting and non-voting positions to the EA; the list shall identify each position required under subsection (e) as well as any other positions added by the RFPG and the individual member name that fills each position.

(i) Each RFPG, at its discretion, may at any time add additional voting and non-voting positions to serve on the RFPG including any new interest category in accordance with subsection (e)(13) of this section, including any additional state or federal agencies, and additional representatives of those interests already listed in, and as limited by, subsection (e) of this section that the RFPG considers appropriate for development of its RFP. Adding any new voting position that increases the total number of voting positions may only occur upon a two-thirds vote of all voting positions.

(j) Each RFPG, at its discretion, may remove individual voting or non-voting positions, other than those listed under subsection (f)(1) - (7) of this section, or eliminate positions in accordance with the RFPG bylaws as long as minimum requirements of RFPG membership are maintained in accordance with subsections (e) and (f) of this section.

(k) RFPGs may enter into formal and informal agreements to coordinate, avoid affecting neighboring areas, and share information with other RFPGs or any other interests within any FPR for any purpose the RFPGs consider appropriate including expediting or making more efficient planning efforts.

Region 1 Canadian-Upper Red

PO Box 9257
Amarillo, Texas 79105

Regional Flood Planning Group

P: (806) 372-3381
F: (806) 373-3268

Memorandum

To: Region 1 Canadian-Upper Red Regional Flood Planning Group Meeting
From: Dustin Meyer, Local Government Services Director
Date: January 14, 2021
Re: Agenda Item #11

Discuss and Action as Appropriate –

Consideration of appropriate changes to the Region 1 Bylaws.

- a. Discussion of Bylaws as currently adopted.
- b. Consider potential changes to bylaws.

The following is a summary of four proposed changes to the Bylaws for consideration.

Article V, Section 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 1 Canadian-Upper Red RFPG shall post public notice ... soliciting nominations for a successor...	No later than ninety calendar days prior to At 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 1 Canadian-Upper Red RFPG shall post public notice ... soliciting nominations for a successor...
The Region 1 Canadian-Upper Red RFPG 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...	The Region 1 Canadian-Upper Red RFPG 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...

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Amarillo, Texas 79105

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Article IX, Section 2 Regular Meetings

At least one regular meeting of the Region 1 Canadian-Upper Red RFPG shall be held 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 1 Canadian-Upper Red RFPG 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 1 Canadian-Upper Red RFPG as set forth in TWDB rules.

At least one regular meeting of the Region 1 Canadian-Upper Red RFPG shall be held 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 1 Canadian-Upper Red RFPG 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 1 Canadian-Upper Red RFPG as set forth in TWDB rules.

Article XV, Adopting and Amending the Bylaws

The voting members shall adopt these bylaws by a two-thirds vote of the voting members present.

The voting members shall adopt ~~and/or~~ amend these bylaws by a two-thirds vote of the voting members present.

Attachment: Region 1 Bylaws



Region 1 Canadian-Upper Red Regional Flood Planning Group

Bylaws

Adopted October 26, 2020

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ARTICLE I. Names

Section 1 Organization

The official name of this organization shall be the “Region 1 Canadian-Upper Red Regional Flood Planning Group” (hereinafter “Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red Flood Planning Region” (hereinafter “Region 1 Canadian-Upper Red FPR”).

ARTICLE II. Establishment and Purpose

The Region 1 Canadian-Upper Red RFPG was established by the TWDB on October 1, 2020, through the designation of initial flood planning group members. The purpose of the Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG shall be the principal business offices of the planning group sponsor. The administrative officer of the Region 1 Canadian-Upper Red RFPG for purposes of the Texas Open Records Act shall be an individual designated by the planning group sponsor. The Chair of the Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG and the Executive Administrator of the TWDB.

ARTICLE IV. Responsibilities

The Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red FPR. Foremost among those responsibilities shall be the development of a regional flood plan for the Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG shall be comprised of the initial flood planning group members as designated by the TWDB on October 1, 2020. The Region 1 Canadian-Upper Red RFPG may subsequently add additional voting members through a process in conformance with these bylaws, specifically Section 4 of this Article.

The Region 1 Canadian-Upper Red RFPGs shall at all times, maintain each of the required voting positions listed in 31 TAC §361.11(e). However, if the Region 1 Canadian-Upper Red RFPG does not have an interest in one of the categories, then the Region 1 Canadian-Upper Red RFPG shall so advise the Executive Administrator of the TWDB and an individual member designation may not be required.

The Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG shall not exceed 19 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG 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 1 Canadian-Upper Red RFPG 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 1 Canadian-Upper Red RFPG may also submit nominations in the manner prescribed in the public notice.

The Region 1 Canadian-Upper Red RFPG 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 1 Canadian-Upper Red RFPG 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 RFPG considers appropriate for development of its RFP. The Region 1 Canadian-Upper Red RFPG 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 1 Canadian-Upper Red RFPG may, at any time, remove a voting position as long as the Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG meetings. Records of attendance shall be kept by the Secretary at all Region 1 Canadian-Upper Red RFPG meetings and hearings and presented as part of the minutes. Voting members of the Region 1 Canadian-Upper Red 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 shall be subject to removal from membership under Section 7 of this Article.

Section 6 Code of Conduct

Members and designated alternates of the Region 1 Canadian-Upper Red RFPG shall conduct the business of the Region 1 Canadian-Upper Red RFPG in an

Region 1 Canadian-Upper Red Regional Flood Planning Group Bylaws

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 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG shall include the non-voting members set forth in 31 TAC §361.11(f)(1)-(7). As necessary, the Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red FPR, the Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG touches the Gulf Coast, the Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 meeting following 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. 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG. To remove a voting member from their voting position, the Region 1 Canadian-Upper Red 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 no later than the next meeting following 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 1 Canadian-Upper Red RFPG. The Chair will preside at all meetings of the Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG meetings. The minutes and attendance shall be kept as part of the Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG 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 1 Canadian-Upper Red RFPG, 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 1 Canadian-Upper Red RFPG 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 1 Canadian-Upper Red RFPG.

Section 2 Regular Meetings

At least one regular meeting of the Region 1 Canadian-Upper Red RFPG shall be held 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 1 Canadian-Upper Red RFPG 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 1 Canadian-Upper Red RFPG 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 1 Canadian-Upper Red RFPG may call special meetings of the Region 1 Canadian-Upper Red RFPG. The Secretary shall ensure that advance notice and an agenda for the called meeting is provided to the full membership of the Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG, in accordance with TWDB rules.

Section 5 Quorum

A quorum of the Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG.

Section 6 Applicability of Robert's Rules of Order

Except as otherwise provided in these bylaws, meetings of the Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG.

Section 7 Public Meetings Required By Law

The Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG.

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 1 Canadian-Upper Red RFPG, 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 1 Canadian-Upper Red RFPG, 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 1 Canadian-Upper Red RFPG 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG shall finally adopt the regional flood plan for the Region 1 Canadian-Upper Red RFP, 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG may by a majority vote of the voting members present establish committees, subcommittees, and subgroups to assist and advise the Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG in the establishing motion for the committee, subcommittee, or subgroup, or upon the expiration of the persons membership in the Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG shall approve, by a majority vote of the voting members present, persons or entities to provide contractual services for the Region 1 Canadian-Upper Red RFPG, including all services related to preparation, development, or revisions of the regional flood plan for the Region 1 Canadian-Upper Red RFPG. 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 1 Canadian-Upper Red RFPG, acting on behalf of the interests comprising the Region 1 Canadian-Upper Red RFPG, and upon submission to the TWDB in compliance with 31 TAC §361.11(d). The voting members shall adopt 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG; it is, therefore,

RESOLVED, that the members of the Region 1 Canadian-Upper Red RFPG this 26th day of October, approve and adopt the bylaws presented to this meeting of members as the bylaws of the Region 1 Canadian-Upper Red RFPG; and it is

FURTHER RESOLVED, that the bylaws be authenticated as such by the Secretary of the Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG for inspection by members or the public at all reasonable times during business hours.



Secretary Signature

11/19/2020

Date



Chairman Signature

11/19/2020

Date

Region 1 Canadian-Upper Red

PO Box 9257
Amarillo, Texas 79105

Regional Flood Planning Group

P: (806) 372-3381
F: (806) 373-3268

Memorandum

To: Region 1 Canadian-Upper Red Regional Flood Planning Group Meeting
From: Dustin Meyer, Local Government Services Director
Date: January 14, 2021
Re: Agenda Item #12

Discuss and Action as Appropriate –

Consideration of Region 1 website and domain name (required per TAC §361.21(b)).

- a. Public Comments (Public comments limited to 3 minutes per speaker).
- b. Presentation, Discussion and Consideration of Region 1 website and domain name.

PRPC presentation of the following proposed website including demonstration of public comment submission and interested party sign-up:

<https://sites.google.com/view/region1rfpg/about>

Proposed domain name: www.CanadianUpperRedRFPG.com

Attachment: None

Region 1 Canadian-Upper Red

PO Box 9257
Amarillo, Texas 79105

Regional Flood Planning Group

P: (806) 372-3381
F: (806) 373-3268

Memorandum

To: Region 1 Canadian-Upper Red Regional Flood Planning Group Meeting
From: Dustin Meyer, Local Government Services Director
Date: January 14, 2021
Re: Agenda Item #13

Pre-Planning Public Input –

Public input regarding suggestions and recommendations as to issues, provisions, projects, and strategies that should be considered during the flood planning cycle and/or input on the development of the regional flood plan (as required per Texas Water Code §16.062(d) and 31 Texas Administrative Code §361.12(a)(4)).

- a. TWDB Presentation
- b. Public Comments (Public comments limited to 3 minutes per speaker).

Attachment: None

Region 1 Canadian-Upper Red

PO Box 9257
Amarillo, Texas 79105

Regional Flood Planning Group

P: (806) 372-3381
F: (806) 373-3268

Memorandum

To: Region 1 Canadian-Upper Red Regional Flood Planning Group Meeting
From: Dustin Meyer, Local Government Services Director
Date: January 14, 2021
Re: Agenda Item #14

Discuss and Consider Action as Appropriate –

Consideration of the application for funding for Region 1 Regional Flood Planning Effort.

- a. **Public Comments (Public comments limited to 3 minutes per speaker).**
- b. **Presentation, Discussion and Consideration of the application for funding for Region 1 Regional Flood Planning Effort**

Attachment: Region 1 Canadian Upper Red Response to RFA 580-21-RFA-0010

Region 1 Canadian-Upper Red Regional Flood Planning Group

**Texas Water Development Board Grant Application
Response to RFA 580-21-RFA-0010**

January 21, 2021

Prepared by the Panhandle Regional Planning Commission

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ARTICLE I. General Information

Section 1 Applicant Information

Panhandle Regional Planning Commission (PRPC) is the legal name of the Planning Group Sponsor applying for the Texas Water Development Board Regional Flood Planning Grant on behalf of the Region 1 Canadian-Upper Red Regional Flood Planning Group.

The Panhandle Regional Planning Commission is a Council of Governments (COG) and was established in 1969 as a political subdivision of the State of Texas codified pursuant to the Texas Local Government Code, Chapter 391. The PRPC is a voluntary association consisting of 94 member governments which includes the top 26 counties of the Texas Panhandle, 62 incorporated cities, and 6 special districts. The Panhandle region covers a 26-county area consisting of almost 26,000 square miles.

The PRPC has written applications for funding assistance and administered both federal and state grant programs for internal programs and for over one hundred separate political subdivisions in the region. In its fifty year history PRPC has written thousands of grant applications and administered hundreds of grant projects funded by federal agencies such as the US Department of Housing and Urban Development (HUD), the Federal Emergency Management Agency (FEMA), and the U.S. Economic Development Administration (EDA) as well as many state agencies such as the Texas Workforce Commission, Texas Water Development Board (TWDB), Texas Department of Transportation (TxDOT), Texas Department of Agriculture (TDA) and all of its predecessors with the CDBG program, U.S. Department of Homeland Security, and a myriad of other state and federal agencies.

The Panhandle Regional Planning Commission will be able to apply an economy of scales with regards to Regional Flood Planning as it is the fiscal agent and political subdivision for the Panhandle Water Planning Group. The PRPC has been involved in Regional Water Planning since the inception of Senate Bill 1 in 1997. Senate Bill 1 mandated that the state of Texas undertake a comprehensive water planning process designed to assist water users and providers in planning for and meeting future water demands and needs. That process was delegated to the regions throughout the state to accomplish. The Panhandle Water Planning Group (PWPG) has contracted with PRPC to provide administrative, financial, and management services since its inception in 1997.

Official Representative Name: Kyle Ingram

Title: Executive Director

Mailing Address: PO Box 9257 Amarillo, TX 79105

Phone Number: 806-372-3381

Fax Number: 806-372-3268

Email Address: kingham@theprpc.org

Vendor ID Number: 175317291002

DUNS Number: 078550019

Section 2 Grant Funds Requested

Total Proposed Planning Cost Estimate: \$1,008,200.00

Total Grant Funds Requested: \$1,008,200.00

Section 3 Statement of Purpose

The Region 1 Canadian-Upper Red Regional Flood Planning Group (RFPG) is requesting funds from the Texas Water Development Board for the purpose of developing the 2023 Regional Flood Plan (RFP) pursuant to Texas Water Code §16.062 and Texas Administrative Code Chapter 361 and 362. The requested funding is necessary to prepare an RFP that will serve as a guide for state, regional, and local flood risk management policy, be based on the best available science, data, models, and flood risk mapping, and that will satisfy each of the guidance principals outlined in TAC §362.3.

The 44-county Canadian-Upper Red flood planning region (FPR) has not been immune to the historic flooding that prompted the 2019 Texas Legislature to take action and create a state flood planning framework. In order to create a comprehensive State Flood Plan that can allow for the improved management of flood risks across the state, involvement by the Canadian-Upper Red FPR is critical. In this inaugural flood planning cycle, the RFP will identify flood risks, establish flood mitigation and floodplain management goals, and recommend evaluations, strategies, and projects to reduce flood risks. The requested grant funds will be necessary to meet these objectives and to procure a technical consulting firm to assist with the development of the RFP.

The majority of the FPR is considered rural. Two cities in the FPR have a population that exceeds 100,000: Amarillo and Wichita Falls. The FPR economy is largely based in agriculture. Agribusiness, oil and gas, and cattle have historically been the major industries in the region and they continue to serve as the primary economic drivers. The Canadian-Upper Red FPR has experienced several significant flood events over the past few decades that have resulted in loss of life and severe damage to property.

Amarillo experienced two major flash flood events in 2006 and 2019 after torrential rains. Wichita Falls experienced two recent flood events in 2007 and 2008. According to a publication by the U.S. Geological Survey in partnership with the City of Wichita Falls, a record flood stage was reached in June 2007 with extreme flooding occurring on the Wichita River which inundated 167 homes in Wichita Falls. In August 2008, then Governor Rick Perry approved disaster assistance for Wichita County after a strong upper-level storm system reportedly flooded 118 homes in Wichita Falls, 19 of which were completely destroyed. PPF Industries, a glass manufacturer, had to temporarily halt operations after the Wichita Falls plant's basement was flooded affecting vital equipment and electrical controls.

On June 19, 2007, Governor Rick Perry declared a disaster in Cooke County due to severe flooding. The Texas Almanac states that three people died when a mobile home was carried away by floodwaters. Damage was estimated to be \$28 million throughout Cooke County. Ten days later on June 29, 2007, Governor Rick Perry issued another proclamation declaring that severe storms, flash flooding and flooding caused a disaster in Baylor, Archer, Lipscomb, Ochiltree, Wichita, and Young County. The flooding that occurred in May 2007 along Wolf Creek in Ochiltree and Lipscomb County is well documented. Flooding was also reported in Hansford and Roberts County as well as Amarillo during this time.

This flood planning cycle and the available grant funds will allow the Region 1 Canadian-Upper Red Regional Flood Planning Group the opportunity to study these and other past events and determine the flood-prone areas and major flood risks throughout the region. It is anticipated that the planning process will be inclusive of the entire region and will take into consideration various factors including, areas and stakeholders already identified or currently unidentified with an interest in the goals and outcomes of the Regional Flood Planning Group. With comprehensive study, the RFPG will be equipped to submit an RFP that meets the overall goal of protecting Texans against loss of life and property from flooding with proper mitigation efforts.

Section 4 Description of Funding Necessity

The Texas Legislature has mandated the creation of Regional Flood Plans for 15 regions across the state. The requirement is for each of the Flood Planning Regions to produce a comprehensive plan by January 2023. Currently, the Texas Legislature and Texas Water Development Board have made \$1,008,200.00 available for the development of this inaugural regional flood planning effort. As such, the Region 1 Canadian-Upper Red RFPG is requesting the total grant funds available as they have deemed it entirely necessary to complete all of the tasks as outlined in the Scope of Work (Attachment D). A detailed task budget, Exhibit I on page 6 of this application, demonstrates the use of funds by task from the Scope of Work.

The Region 1, Flood Planning Group believes that the base funding amounts as laid out in the application are necessary to meet the state-mandated requirements to access and address all 10 of the task as laid out in the Scope of Work contained in this application and to fully develop a Regional Flood Plan over the course of the next two-years.

Further, in order to accomplish the creation of the first Regional Flood Plan it will be necessary and essential for the Region 1, Flood Planning Group to seek and utilize the services of a dedicated consulting firm to provide the necessary level of data collection, modelling, analysis and technical expertise to properly address each of the Tasks to be included in the Region 1 Flood Plan that includes the entirety of the Scope of Work. The Panhandle Regional Planning Commission as the Planning Group Sponsor of the Region 1 Canadian-Upper Red Regional Flood Planning Group has prepared this funding application on behalf of the RFPG pursuant to TAC Chapter 361.

ARTICLE II. Administrative Documentation

Section 1 Planning Group Designation

Attachment A is written designation from the Region 1 Canadian-Upper Red RFPG naming the Panhandle Regional Planning Commission as the Planning Group Sponsor authorized to apply for these grant funds on behalf of the Region-1, RFPG (as required in 31 TAC §361.70(b)).

Section 2 RFPG Bylaws

Attachment B includes the Region 1 Canadian-Upper Red RFPG Bylaws as adopted on October 26, 2020 (as required in 31 TAC §361.70(a)).

Section 3 Public Notice Requirements

Attachment C is documentation that the RFPG considered additional, region-specific, public notice requirements at a meeting in accordance with 31 TAC 361.12(3) prior to taking action regarding its application for funding (as required in 31 TAC §361.70(c)). The Region 1 Canadian-Upper Red RFPG considered taking action on enacting additional, region-specific public notice requirements and through discussion determined the existing public notice requirements are satisfactory for the region.

ARTICLE III. Planning Information

Section 1 Scope of Work

Attachment D is a detailed Scope of Work as prepared by the TWDB for the proposed Flood Planning Cycle. The Scope of Work for the First Cycle of Regional Flood Planning document prepared by TWDB has been included as Attachment D and is also located at:

<http://www.twdb.texas.gov/flood/planning/doc/2020DraftSOW.pdf>

Section 2 Task Budget

The following, Exhibit I, is a Task Budget for Scope of Work by task.

The RFPG does not suggest any modifications to the proposed Task Budget as developed by the Texas Water Development Board.

Exhibit I

TASK		BUDGET
1	Planning Area Description	\$50,410.00
2A	Existing Condition Flood Risk Analyses	\$100,820.00
2B	Future Condition Flood Risk Analyses	\$100,820.00
3A	Evaluation and Recommendations on Floodplain Management Practices	\$20,164.00
3B	Flood Mitigation and Floodplain Management Goals	\$10,082.00
4A	Flood Mitigation Needs Analysis	\$30,246.00
4B	Identification and Evaluation of Potential Flood Management Evaluations and Potentially Feasible Flood Management Strategies and Flood Mitigation Projects	\$151,230.00
4C	Prepare and Submit Technical Memorandum	\$20,164.00
5	Recommendation of Flood Management Evaluations and Flood Management Strategies and Associated Flood Mitigation Projects	\$201,640.00
6A	Impacts of Regional Flood Plan	\$40,328.00
6B	Contributions to and Impacts on Water Supply Development and the State Water Plan	\$10,082.00
7	Flood Response Information and Activities	\$10,082.00
8	Administrative, Regulatory, and Legislative Recommendations	\$10,082.00
9	Flood Infrastructure Financing Analysis	\$20,164.00
10	Adoption of Plan and Public Participation	\$231,886.00
TOTAL		\$1,008,200

Section 3 Expense Budget

The following, Exhibit II, is an Expense Budget for Scope of Work by expense category.

See Attachment E, Voting Planning Member Travel Budget.

Exhibit II

CATEGORY	TOTAL AMOUNT
Other Expenses	\$60,000
Subcontract Services	\$933,812.12
Voting Planning Member Travel	\$14,387.88
Total Study Cost	\$1,008,200

Section 4 Time Schedule & Deliverables

The Region 1 Canadian-Upper Red RFPG will adopt the Regional Flood Plan (RFP) in accordance with Texas Water Development Board timelines. The initial RFP shall be delivered to the TWDB on or before January 10, 2023.

Specific deliverables for each task in the Scope of Work can be found in Attachment D.

The method of monitoring study progress will pursuant to TAC §361.3. The Region 1 Canadian-Upper Red RFPG will deliver technical memorandums to the TWDB prior to the submission of the draft RFP and throughout the planning process. This will be to demonstrate progress in developing the RFP and additionally, to support the concurrent development of the state flood plan. The RFPG will deliver the technical memorandums on the schedule to be provided by the TWDB.

Section 5 Staff Qualifications

The Region 1 Canadian-Upper Red RFPG is in the process of procuring a consulting firm to assist with the development of the 2023 Regional Flood Plan. Upon completion of the contractor procurement process, a copy of the firm’s Statement of Qualifications including attached resumes will be submitted to TWDB as a supplement to this application.

Qualifications and direct experience of the Panhandle Regional Planning Commission proposed project staff:

Executive Director, Kyle Ingham

Kyle Ingham has a Masters in Public Administration and over 17 years of employment at the Panhandle Regional Planning Commission. Mr. Ingham has extensive experience in the development, writing, and implementation of grants from multiple state and federal agencies including the Texas Water Development Board. Mr. Ingham participated as an assistant to the Region’s Administrative Agent in the 2001 Regional Water Planning Cycle and went on to complete the 2011 and 2016 Regional Water Planning Cycles as Primary Administrative Agent. Mr. Ingham participates in the development and implementation of regional plans, including water quality planning, solid waste management planning,

recreational land use planning, community development planning, regional workforce development planning, criminal justice, emergency services and 9-1-1 planning. Direct project manager for numerous community development infrastructure projects. General oversight and responsibility for thirteen departments, with funding links to numerous state and federal agencies, including: Texas Department of Housing & Comm. Affairs, Texas Workforce Development Board, Department of Defense, Department of Housing and Urban Development, Texas Department of Aging, Texas Department of Economic Development, Texas Natural Resource Conservation Commission, Texas Parks and Wildlife Department, Texas Department of Criminal Justice, and the Advisory Commission on State Emergency Communications, among others.

Local Government Services Director, Dustin Meyer

Dustin Meyer has a degree in political science and over six years of employment within Local Government Services at the Panhandle Regional Planning Commission. Mr. Meyer oversees all projects and programs within the Local Government Services Department at PRPC. These programs include Regional Water Planning, Economic Development, Contract City Management, Texas Revenue Recovery Association, Public Transportation Planning, Community Development Block Grants, Strategic Planning, and other special contracts within the region. The Local Government Services Director provides oversight on all Regional Water Planning activity within the organization and is currently the Primary Administrative Agent for the 2021 Regional Water Planning Cycle. Has successfully navigated the TWDB posting and management requirements through a regional planning cycle. Additionally, the LGS Director provides oversight for numerous community development infrastructure projects. Provides management and professional services for local governments on a contract basis. Experienced with procurement of professional services. Municipal and Regional Council experience. Direct working experience with relevant state agencies. Extensive contractor and project management expertise.

Local Government Services Program Specialist, Kathryn English

Kathryn English has Bachelor of Arts degree in political science and over four years of employment at the Panhandle Regional Planning Commission. Performs complex planning, consultative, technical, and program administration tasks in support of communities in the region. Manages or assists with administration of grant-funded projects across multiple programs including the Texas Department of Agriculture, Economic Development Agency, Department of Transportation Federal Railroad Administration, and the Texas Water Development Board. Maintains a current knowledge of laws and regulations relevant to procurement, open meetings, and public notice requirements.

Finance Director, Trenton Taylor

Trenton Taylor is a Certified Public Accountant with over 25 years of non-profit experience in a senior finance role. Mr. Taylor has been Finance Director at Panhandle Regional Planning Commission for the past fifteen months. Mr. Taylor is responsible for all aspects of Finance and Accounting for seven different departments representing over eighty funding sources and the related expenditures and reporting requirements. Duties include overseeing daily transactions, monthly financials and reporting, Annual budgeting and the Comprehensive Annual Financial Report. Panhandle Regional Planning Commission has received the Government Finance Officers Associations Certificate of Achievement for Excellence in Financial Reporting for the last 35 consecutive years.

ARTICLE IV. Written Assurances

Section 1 Written Assurance of Non-Duplication of Planning

The proposed planning by the Region 1 Canadian-Upper Red Regional Flood Planning Group described in this application does not duplicate existing projects. The projects outlined are responsive to the guidance and requirements developed by the Texas Water Development Board for the development of 2023 Regional Flood Plan (RFP) pursuant to Texas Water Code §16.062 and Texas Administrative Code Chapter 361 and 362. All contractors participating in projects under this proposal will read program guidelines and existing plans to ensure that duplicative efforts are avoided.

Kyle Ingham, Executive Director
Panhandle Regional Planning Commission
Administrator for the Region 1 Canadian-Upper Red Regional Flood Planning Group

Date

Attachment A
Planning Group Sponsor Designation Form

Regional Flood Planning Group Sponsor Designation Form

Each five-year planning cycle, each Regional Flood Planning Group (RFPG) must designate a political subdivision to act as their Planning Group Sponsor to apply for and receive financial assistance from the TWDB to develop or revise a regional flood plan pursuant to 31 Texas Administrative Code (TAC) Chapters 361 and 362. RFPGs are required to provide written designation naming their authorized Planning Group Sponsor to the TWDB. This form may be used by an RFPG to satisfy this requirement.

I Floyd Hartman (*Chairperson Name*), the Chairperson of the Region-1 Canadian-Upper Red FPG (*Region Name*) RFPG, hereby certify that the Region-1 Canadian-Upper Red FPG (*Region Name*) RFPG has designated the political subdivision listed on this form as the group's Planning Group Sponsor pursuant to 31 TAC Chapters 361 and 362.

Signature:  Date: 12/9/2020

I Kyle Ingham, Executive Director (*Authorized Representative of Sponsor Political Subdivision Name*), an authorized representative of the Panhandle Regional Planning Commission (*Sponsor Political Subdivision Name*), attest that the Panhandle Regional Planning Commission (*Sponsor Political Subdivision Name*) has the legal authority to conduct the procurement of professional services and enter into the contracts necessary for regional flood planning. I hereby accept the RFPG's sponsorship designation on behalf of the Panhandle Regional Planning Commission (*Sponsor Political Subdivision Name*) and agree to fulfill the sponsorship responsibilities as outlined in 31 TAC 361 and 362.

Signature:  Date: 12-3-2020

Attachment B
Region 1 Canadian-Upper Red RFPG Bylaws



Region 1 Canadian-Upper Red Regional Flood Planning Group

Bylaws

Adopted October 26, 2020

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ARTICLE I. Names

Section 1 Organization

The official name of this organization shall be the “Region 1 Canadian-Upper Red Regional Flood Planning Group” (hereinafter “Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red Flood Planning Region” (hereinafter “Region 1 Canadian-Upper Red FPR”).

ARTICLE II. Establishment and Purpose

The Region 1 Canadian-Upper Red RFPG was established by the TWDB on October 1, 2020, through the designation of initial flood planning group members. The purpose of the Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG shall be the principal business offices of the planning group sponsor. The administrative officer of the Region 1 Canadian-Upper Red RFPG for purposes of the Texas Open Records Act shall be an individual designated by the planning group sponsor. The Chair of the Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG and the Executive Administrator of the TWDB.

ARTICLE IV. Responsibilities

The Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red FPR. Foremost among those responsibilities shall be the development of a regional flood plan for the Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG shall be comprised of the initial flood planning group members as designated by the TWDB on October 1, 2020. The Region 1 Canadian-Upper Red RFPG may subsequently add additional voting members through a process in conformance with these bylaws, specifically Section 4 of this Article.

The Region 1 Canadian-Upper Red RFPGs shall at all times, maintain each of the required voting positions listed in 31 TAC §361.11(e). However, if the Region 1 Canadian-Upper Red RFPG does not have an interest in one of the categories, then the Region 1 Canadian-Upper Red RFPG shall so advise the Executive Administrator of the TWDB and an individual member designation may not be required.

The Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG shall not exceed 19 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG 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 1 Canadian-Upper Red RFPG 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 1 Canadian-Upper Red RFPG may also submit nominations in the manner prescribed in the public notice.

The Region 1 Canadian-Upper Red RFPG 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 1 Canadian-Upper Red RFPG 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 RFPG considers appropriate for development of its RFP. The Region 1 Canadian-Upper Red RFPG 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 1 Canadian-Upper Red RFPG may, at any time, remove a voting position as long as the Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG meetings. Records of attendance shall be kept by the Secretary at all Region 1 Canadian-Upper Red RFPG meetings and hearings and presented as part of the minutes. Voting members of the Region 1 Canadian-Upper Red 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 shall be subject to removal from membership under Section 7 of this Article.

Section 6 Code of Conduct

Members and designated alternates of the Region 1 Canadian-Upper Red RFPG shall conduct the business of the Region 1 Canadian-Upper Red RFPG in an

Region 1 Canadian-Upper Red Regional Flood Planning Group Bylaws

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 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG shall include the non-voting members set forth in 31 TAC §361.11(f)(1)-(7). As necessary, the Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red FPR, the Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG touches the Gulf Coast, the Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 meeting following 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. 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG. To remove a voting member from their voting position, the Region 1 Canadian-Upper Red 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 no later than the next meeting following 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 1 Canadian-Upper Red RFPG. The Chair will preside at all meetings of the Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG meetings. The minutes and attendance shall be kept as part of the Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG 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 1 Canadian-Upper Red RFPG, 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 1 Canadian-Upper Red RFPG 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 1 Canadian-Upper Red RFPG.

Section 2 Regular Meetings

At least one regular meeting of the Region 1 Canadian-Upper Red RFPG shall be held 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 1 Canadian-Upper Red RFPG 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 1 Canadian-Upper Red RFPG 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 1 Canadian-Upper Red RFPG may call special meetings of the Region 1 Canadian-Upper Red RFPG. The Secretary shall ensure that advance notice and an agenda for the called meeting is provided to the full membership of the Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG, in accordance with TWDB rules.

Section 5 Quorum

A quorum of the Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG.

Section 6 Applicability of Robert's Rules of Order

Except as otherwise provided in these bylaws, meetings of the Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG.

Section 7 Public Meetings Required By Law

The Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG.

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 1 Canadian-Upper Red RFPG, 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 1 Canadian-Upper Red RFPG, 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 1 Canadian-Upper Red RFPG 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG shall finally adopt the regional flood plan for the Region 1 Canadian-Upper Red RFP, 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG may by a majority vote of the voting members present establish committees, subcommittees, and subgroups to assist and advise the Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG in the establishing motion for the committee, subcommittee, or subgroup, or upon the expiration of the persons membership in the Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFGP 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 1 Canadian-Upper Red RFGP 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 1 Canadian-Upper Red RFGP 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 1 Canadian-Upper Red RFGP 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 1 Canadian-Upper Red RFGP 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 RFGP. 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 1 Canadian-Upper Red RFGP to apply to TWDB for funding. The Chair of the RFGP 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 1 Canadian-Upper Red RFGP 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 1 Canadian-Upper Red RFPG shall approve, by a majority vote of the voting members present, persons or entities to provide contractual services for the Region 1 Canadian-Upper Red RFPG, including all services related to preparation, development, or revisions of the regional flood plan for the Region 1 Canadian-Upper Red RFPG. 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 1 Canadian-Upper Red RFPG, acting on behalf of the interests comprising the Region 1 Canadian-Upper Red RFPG, and upon submission to the TWDB in compliance with 31 TAC §361.11(d). The voting members shall adopt 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 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG; it is, therefore,

RESOLVED, that the members of the Region 1 Canadian-Upper Red RFPG this 26th day of October, approve and adopt the bylaws presented to this meeting of members as the bylaws of the Region 1 Canadian-Upper Red RFPG; and it is

FURTHER RESOLVED, that the bylaws be authenticated as such by the Secretary of the Region 1 Canadian-Upper Red 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 1 Canadian-Upper Red RFPG for inspection by members or the public at all reasonable times during business hours.



Secretary Signature

11/19/2020

Date



Chairman Signature

11/19/2020

Date

Attachment C
Documentation of Public Notice Requirements
October 26, 2020 RFPG Meeting Minutes

Meeting Minutes
Region 1 Canadian-Upper Red Flood Planning Group Meeting
October 26, 2020
9:00AM
GoToWebinar Virtual Meeting

Roll Call:

<u>Voting Member</u>	<u>Interest Category</u>	<u>Present (x) /Absent () / Alternate Present (*)</u>
Chandler Bowers	Agricultural interests	X
Jeffrey Kyle Watts	Counties	
Vacant	Electric generating utilities	N/A
Nathan Howell	Environmental interests	X
Vacant	Flood districts	N/A
Don C. Davis	Industries	
Kyle Schniederjan	Municipalities	X
Jane Ketcham	Public	X
Randy Whiteman	River authorities	X
Joseph Shehan	Small business	X
Tracy R. Mesler	Water districts	X
Floyd Hartman	Water utilities	X

<u>Non-voting Member</u>	<u>Agency</u>	<u>Present (x) /Absent () / Alternate Present (*)</u>
Brad Simpson	Texas Parks and Wildlife Department	X
Brian Hurtuk	Texas Division of Emergency Management	X
Carol Faulkenberry	Texas Department of Agriculture	X
Bob Gruner	Texas State Soil and Water Conservation Board	X
Trey Bahm	General Land Office	X
Melinda Torres	Texas Commission on Environmental Quality	X
Megan Ingram	Texas Water Development Board (TWDB)	X

Quorum:

Quorum: **Yes**

Number of voting members or alternates representing voting members present: **8**

Number required for quorum per current voting positions of 12: **7**

Other Meeting Attendees: **

Reem Zoun, TWDB (Meeting Facilitator)

Brooke Paup, TWDB Board Member

Matt Nelson, TWDB

James Bronikowski, TWDB

Morgan White, TWDB

Richard Bagans, TWDB
Annette Mass, TWDB
Hayley Gillespie, TWDB
Anna Gonzalez, TWDB
Temple McKinnon, TWDB
Steven Richter, TWDB
Ryke Moore, TWDB
Cynthia Roush, TWDB
Patrick Lopez, TWDB
Cate Ball
Curtis Beitel
Stephanie Castillo
Janet Guthrie
Bret Higginbotham
Scott Hubley
Heather Keister
Amin Kiaghadi
Dustin Meyer
Tom Ray
Matt Thomas
Alika Valdez
Rodrigo Vizcaino
Stephanie Zertuche
Mary Jane Phillips
Ben McWhorter

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

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

AGENDA ITEM NO. 1: Call to Order

Reem Zoun called the meeting to order at 9:09AM. A roll call of the planning group members was taken to record attendance and a quorum was established prior to calling the meeting to order.

AGENDA ITEM NO. 2: Welcome, Meeting Facilitation Information and Instructions

Reem Zoun and Director Brooke Paup welcomed members to the meeting. Reem Zoun provided meeting facilitation information and instructions.

AGENDA ITEM NO. 3: Member Introductions

Each present voting and non-voting member of the Canadian-Upper Red RFPG introduced themselves.

AGENDA ITEM NO. 4: Regional Flood Planning Overview Presentation

Reem Zoun presented an overview of the regional flood planning process.

AGENDA ITEM NO. 5: Discussion of group bylaws and consider adopting group bylaws

Reem Zoun presented the model bylaws provided by the TWDB for the RFPG to consider adopting and opened discussion on adopting group bylaws.

After discussion, the bylaws were edited to replace “Model RFPG” with “Region 1 Canadian-Upper Red RFPG”.

After discussion, the Article V Section 1 language regarding the maximum number of voting members was revised from 18 to 19 members.

After discussion, the Article VIII Section 2 language regarding the required timeframe for selecting initial officers was revised to require that initial officers be selected no later than the meeting following the adoption of bylaws.

After discussion, the Article VIII Section 4 language regarding officer vacancies was revised to require that an officer vacancy which occurs because of death, resignation, or removal, shall be filled no later than the next RFPG meeting following the vacancy.

A motion was made by Tracy Mesler to adopt the bylaws, with changes as noted in discussion.

The motion was seconded by Joseph Shehan.

The vote to adopt the group bylaws passed by a vote of 8 Ayes and 0 Nays.

AGENDA ITEM NO. 6: Consider nominating and electing regional flood planning group Chair or Interim Chair

Reem Zoun described the Chair/Interim Chair election process and opened the floor to nominations for the Chair or Interim Chair position.

A nomination of Floyd Hartman as the Chair was made by Kyle Schiederjan.

Tracy Mesler moved to select Floyd Hartman by acclamation as Chair.

The motion was seconded by Chandler Bowers.

The vote to select Floyd Hartman by acclamation as Chair passed by a vote of 8 Ayes and 0 Nays.

The group recessed for a short break.

The group reestablished quorum after the short break.

AGENDA ITEM NO. 7: Consider selecting a planning group sponsor to act on behalf of the regional flood planning group

Reem Zoun listed the entities that had expressed interest in serving as the Region 1 Canadian-Upper Red RFPG's planning group sponsor. These interested entities included:

City of Amarillo

Panhandle Regional Planning Commission (PRPC)

Red River Authority of Texas

Reem Zoun opened the floor to public comments.

Dustin Meyer (Panhandle Regional Planning Commission) gave public comment regarding the Panhandle Regional Planning Commission's interest in serving the group as planning group sponsor.

Matt Thomas (City of Amarillo) gave public comment regarding the City of Amarillo's interest in serving as planning group sponsor.

Floyd Hartman opened discussion on selecting a planning group sponsor to act on behalf of the RFPG.

Randy Whiteman discussed the Red River Authority of Texas's willingness to serve as planning group sponsor.

The group discussed the importance and ability for planning group sponsors to hold meetings at a variety of locations.

A motion was made by Joseph Shehane to select City of Amarillo as the planning group sponsor for the Region 1 Canadian-Upper Red RFPG.

No members seconded the motion.

The motion failed for lack of a second.

A motion was made by Tracy Mesler to select the Panhandle Regional Planning Commission as the planning group sponsor for the Region 1 Canadian-Upper Red RFPG.

Chandler Bowers seconded the motion.

A motion was made by Kyle Schniederjan to include an amendment to the motion to include the consideration of alternating meeting sites.

Tracy Mesler agreed to modify the original motion to include the consideration of alternating meeting sites.

Chandler Bowers seconded the modification to the motion.

The modification to the amendment passed by a vote of 8 Ayes and 0 Nays.

The vote to select the Panhandle Regional Planning Commission as the planning group sponsor to act on behalf of the RFPG, with the inclusion of the modification to consider alternating meeting sites, passed by a vote of 8 Ayes and 0 Nays.

AGENDA ITEM NO. 8: Consider additional, region-specific public notice requirements, if any, that might be necessary to ensure adequate public notice in the region per 31 Texas Administrative Code §361.12(3).

Matt Nelson described existing notice requirements.

Floyd Hartman opened the floor to public comments. No public comments were given.

Floyd Hartman opened discussion on identifying additional, region-specific public notice requirements.

No action was taken. Floyd Hartman closed discussion on AGENDA ITEM NO. 8.

AGENDA ITEM NO. 9: Consider authorizing the RFPG sponsor to apply for grant funds and enter into a contract with the TWDB on behalf of the RFPG

Floyd Hartman opened discussion on authorizing the RFPG sponsor to apply for grant funds and enter into a contract with the TWDB on behalf of the RFPG.

Reem Zoun provided background on this topic.

No points nor comments/concerns were brought forth during open discussion.

A motion was made by Tracy Mesler to authorize the RFPG sponsor to apply for grant funds and enter into a contract with the TWDB on behalf of the RFPG.

The motion was seconded by Kyle Schiederjan.

The vote to authorize the RFPG sponsor to apply for grant funds and enter into a contract with the TWDB on behalf of the RFPG passed by a vote of 8 Ayes and 0 Nays.

AGENDA ITEM NO. 10: Discussion of necessary additional voting and non-voting positions that may be needed to ensure adequate representation from the interest in the region

Floyd Hartman opened the floor to public comments. No public comments were given.

Floyd Hartman opened discussion on additional voting and non-voting positions that may be needed to ensure adequate representation from the interest in the region.

The group discussed the potential expansion of the number of voting positions within existing interest categories.

The group discussed the importance of voting members each representing his or her interest in its entirety across the region.

The group decided to address additional voting and non-voting positions that may be needed to ensure adequate representation from the interest in the region at the group's next meeting.

No action was taken. Floyd Hartman closed discussion on AGENDA ITEM NO. 10.

AGENDA ITEM NO. 11: Consider initiating RFPG solicitation process for individuals to fill vacant required voting member positions

Reem Zoun provided background on this topic, at Floyd Hartman's request.

Floyd Hartman opened the floor to public comments. No public comments were given.

Floyd Hartman opened the floor to discussion on, and the group subsequently discussed, initiating RFPG solicitation processes for individuals to fill the vacant required voting member position. The current vacant, required voting position for Region 1 Canadian-Upper Red RFPG are:

Currently Vacant: *Electric generating utilities*
 Flood districts

The group established discussion of individuals to fill vacant required voting member positions as an agenda item for the next RFPG meeting.

No action was taken. Floyd Hartman closed discussion on AGENDA ITEM NO. 101.

AGENDA ITEM NO. 12: Receive general public comments (Public comments limited to 3 minutes per speaker)

Floyd Hartman opened the floor to public comments.

Dustin Meyer expressed appreciation for the group's designation of the Panhandle Regional Planning Commission as planning group sponsor.

AGENDA ITEM NO. 13: Consider date and agenda items for next meeting

Floyd Hartman opened discussion to consider the date and agenda items for the next meeting.

The group discussed various scheduling needs. The group decided to disseminate a survey to establish the best time for scheduling group meetings.

AGENDA ITEM NO. 14: Adjourn

A motion was made by Tracy Mesler to adjourn the meeting.

The motion was seconded by Randy Whiteman.

The motion passed by unanimous consent.

The meeting adjourned at 11:32AM by Floyd Hartman.

Approved by the Region 1 Canadian-Upper Red RFPG at a meeting held on 11/18/2020.

 11-19-2020

Kyle Schniederjan, SECRETARY

 11/18/2020

Floyd Hartman, CHAIR

Attachment D
Scope of Work

Draft Regional Flood Planning (RFP) Scope of Work

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Task 1 – Planning Area Description

In addition to generally meeting all applicable rules and statute requirements governing regional and state flood planning under 31 Texas Administrative Code (TAC) Chapters 361 and 362, this portion of work shall, in particular, include all work necessary to meet all the requirements of 31 TAC §361.30, 361.31, and 361.32.

The objective of this task is to prepare a standalone chapter to be included in the 2023 Regional Flood Plan (RFP) that describes the Flood Planning Region (FPR).

This Task includes, but is not limited to, performing all work in accordance with TWDB rules and guidance required to prepare a chapter that includes:

1. A brief, general descriptions of the following:
 - a. social and economic character of the region such as information on development, population, economic activity, and economic sectors most at risk of flood impacts;
 - b. the areas in the FPR that are flood-prone and the types of major flood risks to life and property in the region;
 - c. key historical flood events within the region including associated fatalities and loss of property;
 - d. political subdivisions with flood-related authority and whether they are currently actively engaged in flood planning, floodplain management, and flood mitigation activities;
 - e. the general extent of local regulation and development codes relevant to existing and future flood risk;
 - f. agricultural and natural resources most impacted by flooding; and
 - g. existing local and regional flood plans within the FPR.
2. A general description of the location, condition, and functionality of existing natural flood mitigation features and constructed major flood infrastructure within the FPR.
3. Include a tabulated list and GIS map of existing infrastructure.
4. Include an assessment of existing infrastructure.
5. Explain, in general, the reasons for non-functional or deficient natural flood mitigation features or major flood infrastructure being non-functional or deficient, provide a description of the condition and functionality of the feature or infrastructure and whether and when the natural flood feature or major flood infrastructure may become fully functional, and provide the name of the owner and operator of the major flood infrastructure.
6. A general description of the location, source of funding, and anticipated benefits of proposed or ongoing major infrastructure and flood mitigation projects in the FPR.
7. A review and summary of relevant existing planning documents in the region. Documents to be summarized include those referenced under 31 TAC §361.22.

The information gathered and developed in preparation of this chapter shall be subject to the following review process prior to submission of any deliverables:

1. Review of the chapter documents and related information by RFPG members.
2. Modifications to the chapter document based on RFPG, public, and/or agency comments.
3. Submittal of chapter document to TWDB for review and approval.
4. All effort required to obtain final approval of the RFP chapter by TWDB.

Deliverables: A completed Chapter 1 describing the FPR, existing natural flood mitigation features, constructed major flood infrastructure, and major infrastructure and flood mitigation projects currently under development. A tabulated list and GIS map of existing infrastructure and their conditions. Any additional deliverables identified in the TWDB Flood Planning guidance documents.

Task 2A – Existing Condition Flood Risk Analyses

In addition to generally meeting all applicable rules and statute requirements governing regional and state flood planning under 31 TAC Chapters 361 and 362, this portion of work shall, in particular, include all work necessary to meet all the requirements of 31 TAC §361.33.

The objective of this task is to prepare a chapter to be combined with Task 2B and included in the 2023 Regional Flood Plan (RFP) that describes the existing and future condition flood risk in the FPR.

The RFPGs shall perform existing condition flood risk analyses for the region comprising: (1) flood hazard analyses that determine the location, magnitude, and frequency of flooding; (2) flood exposure analyses to identify who and what might be harmed within the region; and (3) vulnerability analyses to identify vulnerabilities of communities and critical facilities.

The information developed shall be used to assist the RFPG to establish priorities in subsequent planning tasks, to identify areas that need Flood Management Evaluations (FMEs), and to efficiently deploy its resources.

This Task includes, but is not limited to, performing all work in accordance with TWDB rules and guidance required to:

1. Perform existing condition flood hazard analyses to determine the location and magnitude of both 1.0% annual chance and 0.2% annual chance flood events as follows:
 - a. collect data and conduct analyses sufficient to characterize the existing conditions for the planning area;
 - b. identify areas within each FPR where hydrologic and hydraulic model results are already available and summarize the information;
 - c. utilize best available data, including hydrologic and hydraulic models for each area;

- d. prepare a map showing areas identified by the RFPG as having an annual likelihood of inundation of more than 1.0% and 0.2%, the areal extent of this inundation, and the sources of flooding for each area; and
 - e. prepare a map showing gaps in inundation boundary mapping and identify known flood-prone areas based on location of hydrologic features, historic flooding and/or local knowledge.
 2. Develop high-level, region-wide, and largely GIS-based existing condition flood exposure analyses using the information identified in the flood hazard analysis to identify who and what might be harmed within the region for, at a minimum, both 1.0% annual chance and 0.2% annual chance flood events as follows:
 - a. analyses of existing development within the existing condition floodplain and the associated flood hazard exposure;
 - b. for the floodplain as defined by FEMA or as defined by an alternative analysis if the FEMA-defined floodplain is not considered best available;
 - c. may include only those flood mitigation projects with dedicated construction funding and scheduled for completion prior to adoption of the next state flood plan.
 - d. shall consider the population and property located in areas where existing levees or dams do not meet FEMA accreditation as inundated by flooding without those structures in place. Provisionally accredited structures may be allowed to provide flood protection, unless best available information demonstrates otherwise.
 - e. shall consider available datasets to estimate the potential flood hazard exposure including, but not limited to:
 - i. number of residential properties and associated population;
 - ii. number of non-residential properties;
 - iii. other public infrastructure;
 - iv. major industrial and power generation facilities;
 - v. number and types of critical facilities;
 - vi. number of roadway crossings;
 - vii. length of roadway segments; and
 - viii. agricultural area and value of crops exposed.
 - f. shall include a qualitative description of expected loss of function, which is the effect that a flood event could have on the function of inundated structures (residential, commercial, industrial, public, or others) and infrastructure, such as transportation, health and human services, water supply, wastewater treatment, utilities, energy generation, and emergency services.
 3. Perform existing condition vulnerability analyses as follows:
 - a. identify resilience of communities located in flood-prone areas identified as part of the existing condition flood exposure analyses, utilizing relevant data and tools.

- b. identify vulnerabilities of critical facilities to flooding by looking at factors such as proximity to a floodplain or other bodies of water, past flooding issues, emergency management plans, and location of critical systems like primary and back-up power.
4. All data produced as part of the existing condition flood exposure analysis and the existing condition vulnerability analysis shall include:
 - a. underlying flood event return frequency;
 - b. type of flood risk;
 - c. county;
 - d. HUC8;
 - e. existing flood authority boundaries;
 - f. Social Vulnerability Indices for counties and census tracts; and
 - g. other categories as determined by RFPGs or in TWDB Flood Planning guidance documents.

The information gathered and developed in preparation of this chapter shall be subject to the following review process prior to submission of any deliverables:

1. Review of the chapter documents and related information by RFPG members.
2. Modifications to the chapter document based on RFPG, public, and/or agency comments.
3. Submittal of chapter document to TWDB for review and approval.
4. All effort required to obtain final approval of the RFP chapter by TWDB.

Deliverables:

- Prepare a stand-alone chapter (including work from both Tasks 2A & 2B) to be included in the 2023 RFP.
- Prepare maps according to 1(d) and 1(e).
- A tabulated list and GIS map of all pertinent information. All maps should be submitted with underlying GIS data utilized to prepare them.
- Any additional deliverables identified in the TWDB Flood Planning guidance documents.

Task 2B – Future Condition Flood Risk Analyses

In addition to generally meeting all applicable rules and statute requirements governing regional and state flood planning under 31 TAC Chapters 361 and 362, this portion of work shall, in particular, include all work necessary to meet all the requirements of 31 TAC §361.34.

The objective of this task is to prepare a chapter to be combined with Task 2A and included in the 2023 Regional Flood Plan (RFP) that describes the existing and future condition flood risk in the FPR.

RFPGs shall perform future condition flood risk analyses for the region comprising: (1) flood hazard analyses that determine the location, magnitude and frequency of flooding; (2) flood exposure analyses to identify who and what might be harmed within the region; and (3) vulnerability analyses to identify vulnerabilities of communities and critical facilities.

The information developed shall be used to assist the RFPG to establish priorities in subsequent planning tasks, to identify areas that need FMEs, and to efficiently deploy its resources.

This Task includes, but is not limited to, performing all work in accordance with TWDB rules and guidance required to:

1. Perform future condition flood hazard analyses to determine the location and magnitude of both 1.0% annual chance and 0.2% annual chance flood events as follows:
 - a. collect data and conduct analyses sufficient to characterize the future conditions for the planning area based on a "no-action" scenario of approximately 30 years of continued development and population growth under current development trends and patterns, and existing flood regulations and policies based on:
 - i. current land use and development trends and practices and associated projected population based on the most recently adopted state water plan decade and population nearest the next RFP adoption date plus approximately 30 years or as provided for in TWDB Flood Planning guidance documents;
 - ii. reasonable assumptions regarding locations of residential development and associated population growth;
 - iii. anticipated relative sea level change and subsidence based on existing information;
 - iv. anticipated changes to the functionality of the existing floodplain;
 - v. anticipated sedimentation in flood control structures and major geomorphic changes in riverine, playa, or coastal systems based on existing information;
 - vi. assumed completion of flood mitigation projects currently under construction or that already have dedicated construction funding; and
 - vii. other factors deemed relevant by the RFPG.
 - b. identify areas within each FPR where future condition hydrologic and hydraulic model results are already available and summarize the information;
 - c. utilize best available data, including hydrologic and hydraulic models for each area;
 - d. where future condition results are not available, but existing condition hydrologic and hydraulic model results are already available, the RFPGs shall

- modify hydraulic models to identify future conditions flood risk for 1.0% and 0.2% annual chance storms based on simplified assumptions utilizing the information identified in this task.
- e. prepare a map showing areas of 1.0% and 0.2% annual chance of inundation for future conditions, the areal extent of this inundation, and the sources of flooding for each area.
 - f. prepare a map showing gaps in inundation boundary mapping and identify known flood-prone areas based on location of hydrologic features, historic flooding, and/ or local knowledge.
2. Perform future condition flood exposure analyses using the information identified in the flood hazard analysis to identify who and what might be harmed within the region for, at a minimum, both 1.0% annual chance and 0.2% annual chance flood events as follows:
- a. analyses of existing development within the existing condition floodplain and the associated flood hazard exposure;
 - b. analyses of existing and future developments within the future condition floodplain and the associated flood hazard exposure; and
 - c. to include only those flood mitigation projects with dedicated construction funding scheduled for completion prior to the next RFP adoption date plus 30 years or as provided for in TWDB Flood Planning guidance documents.
 - d. Identification of flood prone areas associated with the hazard exposure analyses shall be based on analyses that rely primarily on the use and incorporation of existing and available:
 - i. FIRMs or other flood inundation maps and GIS related data and analyses;
 - ii. available hydraulic flood modeling results;
 - iii. model-based or other types of geographic screening tools for identifying flood prone areas; and
 - iv. other best available data or relevant technical analyses that the RFPG determines to be the most updated or reliable.
3. Perform future condition vulnerability analyses as follows:
- a. identify resilience of communities located in flood-prone areas identified as part of the future condition flood exposure analyses, utilizing relevant data and tools.
 - b. identify vulnerabilities of critical facilities to flooding by looking at factors such as proximity to a floodplain or other bodies of water, past flooding issues, emergency management plans, and location of critical systems like primary and back-up power.
4. All data produced as part of the future condition flood exposure analysis and the future condition vulnerability analysis shall include:
- a. underlying flood event return frequency;
 - b. type of flood risk;

- c. county;
- d. HUC8;
- e. existing flood authority boundaries;
- f. Social Vulnerability Indices for counties and census tracts; and
- g. other categories as determined in TWDB Flood Planning guidance documents.

The information gathered and developed in preparation of this chapter shall be subject to the following review process prior to submission of any deliverables:

1. Review of the chapter documents and related information by RFPG members.
2. Modifications to the chapter document based on RFPG, public, and/or agency comments.
3. Submittal of chapter document to TWDB for review and approval.
4. All effort required to obtain final approval of the RFP chapter by TWDB.

Deliverables:

- Prepare a stand-alone chapter (including work from both Tasks 2A & 2B) to be included in the 2023 RFP.
- Prepare maps according to 1(e) and 1(f). A tabulated list and GIS map of all pertinent information. All maps should be submitted with underlying GIS data utilized to prepare them.
- Any additional deliverables identified in the TWDB Flood Planning guidance documents.

Task 3A - Evaluation and Recommendations on Floodplain Management Practices

In addition to generally meeting all applicable rules and statute requirements governing regional and state flood planning under 31 TAC Chapters 361 and 362, this portion of work shall, in particular, include all work necessary to meet all the requirements of 31 TAC §361.35.

This Task includes, but is not limited to, performing all work in accordance with TWDB rules and guidance required to:

1. Consider the extent to which a lack of, insufficient, or ineffective current floodplain management and land use practices, regulations, policies, and trends related to land use, economic development, and population growth, allow, cause, or otherwise encourage increases to flood risks to both:
 - a. existing population and property, and
 - b. future population and property.
2. Take into consideration the future flood hazard exposure analyses performed under Task 2B, consider the extent to which the 1.0% annual chance floodplain, along with associated flood risks, may change over time in response to anticipated

development and associated population growth and other relevant man-made causes, and assess how to best address these potential changes.

3. Based on the analyses in (1) and (2), make recommendations regarding forward-looking floodplain management and land use recommendations, and economic development practices and strategies, that should be implemented by entities within the FPR. These region-specific recommendations may include minimum floodplain management and land use standards and should focus on how to best address the changes in (2) for entities within the region. These recommendations shall inform recommended strategies for inclusion in the RFP.
4. RFPGs may also choose to adopt region-specific, minimum floodplain management or land use or other standards that impact flood-risk, that may vary geographically across the region, that each entity in the FPR must adopt prior to the RFPG including in the RFP any Flood Management Evaluations, Flood Management Strategies, or Flood Mitigation Projects that are sponsored by or that will otherwise be implemented by that entity.

The information gathered and developed in preparation of this chapter shall be subject to the following review process prior to submission of any deliverables:

1. Review of the chapter documents and related information by RFPG members.
2. Modifications to the chapter document based on RFPG, public, and/or agency comments.
3. Submittal of chapter document to TWDB for review and approval.
4. All effort required to obtain final approval of the RFP chapter by TWDB.

Deliverables:

- Prepare a stand-alone chapter (including work from both Tasks 3A & 3B) to be included in the 2023 RFP.
- List region-specific recommendations regarding forward-looking floodplain management and land use, which may include minimum floodplain management and land use standards.
- Any additional deliverables identified in the TWDB Flood Planning guidance documents.

Task 3B – Flood Mitigation and Floodplain Management Goals

In addition to generally meeting all applicable rules and statute requirements governing regional and state flood planning under 31 TAC Chapters 361 and 362, this portion of work shall, in particular, include all work necessary to meet all the requirements of 31 TAC §361.36.

Consider the Guidance Principles under 31 TAC §362.3, Tasks 1-3A, input from the public, and other relevant information and considerations.

This Task includes, but is not limited to, performing all work in accordance with TWDB rules and guidance required to:

1. Identify specific and achievable flood mitigation and floodplain management goals along with target years by which to meet those goals for the FPR to include, at a minimum, goals specifically addressing risks to life and property.
2. Consider minimum recommended flood protection goal provided by TWDB.
3. Recognize and clearly state the levels of residual risk that will remain in the FPR even after the stated flood mitigation goals are fully met.
4. Structure and present the goals and the residual risks in an easily understandable format for the public including in conformance with TWDB Flood Planning guidance documents.
5. When appropriate, choose goals that apply to full single HUC8 watershed boundaries or coterminous groups of HUC8 boundaries within the FPR.
6. Identify both short-term goals (10 years) and long-term goals (30 years).

The information gathered and developed in preparation of this chapter shall be subject to the following review process prior to submission of any deliverables:

1. Review of the chapter documents and related information by RFPG members.
2. Modifications to the chapter document based on RFPG, public, and/or agency comments.
3. Submittal of chapter document to TWDB for review and approval.
4. All effort required to obtain final approval of the RFP chapter by TWDB.

Deliverables:

- Prepare a stand-alone chapter (including work from both Tasks 3A & 3B) to be included in the 2023 RFP.
- Identify flood mitigation and floodplain management goals considering minimum recommended flood protection goal provided by TWDB.
- Identify specific and achievable flood mitigation and floodplain management goals (10 year and 30 year) in an easily understandable format for the public.
- Any additional deliverables identified in the TWDB Flood Planning guidance documents.

Task 4A – Flood Mitigation Needs Analysis

In addition to generally meeting all applicable rules and statute requirements governing regional and state flood planning under 31 TAC Chapters 361 and 362, this portion of work shall, in particular, include all work necessary to meet all the requirements of 31 TAC §361.37.

The RFPG shall conduct the analysis in a manner that will ensure the most effective and efficient use of the resources available to the RFPG.

This Task includes, but is not limited to, performing all work in accordance with TWDB rules and guidance required to:

1. Based on the analyses and goals developed by the RFPG under Tasks 2A through 3B and any additional analyses or information developed using available screening-level models or methods, the RFPG shall identify locations within the FPR that the RFPG considers to have the greatest flood mitigation and flood risk study needs by considering:
 - a. the areas in the FPR that the RFPG identified as the most prone to flooding that threatens life and property;
 - b. the relative locations, extent, and performance of current floodplain management and land use policies and infrastructure located within the FPR;
 - c. areas identified by the RFPG as prone to flooding that don't have adequate inundation maps;
 - d. areas identified by the RFPG as prone to flooding that don't have hydrologic and hydraulic models;
 - e. areas with an emergency need;
 - f. existing modeling analyses and flood risk mitigation plans within the FPR;
 - g. flood mitigation projects already identified and evaluated by other flood mitigation plans and studies;
 - h. documentation of historic flooding events;
 - i. flood mitigation projects already being implemented; and
 - j. any other factors that the RFPG deems relevant to identifying the geographic locations where potential FMEs and potentially feasible FMSs and FMPs shall be identified and evaluated under §361.38.

The information gathered and developed in preparation of this chapter shall be subject to the following review process prior to submission of any deliverables:

1. Review of the chapter documents and related information by RFPG members.
2. Modifications to the chapter document based on RFPG, public, and/or agency comments.
3. Submittal of chapter document to TWDB for review and approval.
4. All effort required to obtain final approval of the RFP chapter by TWDB.

Deliverables:

- Prepare a stand-alone chapter (including work from both Tasks 4A & 4B) to be included in the 2023 RFP.
- A map identifying the geographic locations within the FPR considered to have the greatest flood mitigation and flood risk study needs where potential FMEs and potentially feasible FMSs and FMPs shall be evaluated
- A tabulated list and GIS map of all pertinent information. All maps should be submitted with underlying GIS data utilized to prepare them.

- Any additional deliverables identified in the TWDB Flood Planning guidance documents.

Task 4B – Identification and Evaluation of Potential Flood Management Evaluations and Potentially Feasible Flood Management Strategies and Flood Mitigation Projects

In addition to generally meeting all applicable rules and statute requirements governing regional and state flood planning under 31 TAC Chapters 361 and 362, this portion of work shall, in particular, include all work necessary to meet all the requirements of 31 TAC §361.38.

Based on analyses and decisions under Tasks 2A through 4A the RFPG shall identify and evaluate potential FMEs and potentially feasible FMSs and FMPs, including nature-based solutions, some of which may have already been identified by previous evaluations and analyses by others.

This Task includes, but is not limited to, performing all work in accordance with TWDB rules and guidance required to:

1. Receive public comment on a proposed process to be used by the RFPG to identify and select FMEs, FMSs, and FMPs for the 2023 RFP. Revise and update documentation of the process by which FMS that were identified as potentially feasible and selected for evaluation in the 2023 RFP. Include a description of the process selected by the RFPG in the Technical Memorandum and the draft Regional Flood Plan and adopted RFPs.
2. Plans to be considered in developing this chapter include relevant plans referenced under 31 TAC §361.22.
3. When evaluating FMSs and FMPs the RFPG will, at a minimum, identify one solution that provides flood mitigation associated a with 1.0% annual chance flood event. In instances where mitigating for 1.0% annual chance events is not feasible, the RFPG shall document the reasons for its infeasibility, and at the discretion of the RFPG, other FMSs and FMPs to mitigate more frequent events may also be identified and evaluated based on TWDB Flood Planning guidance documents.
4. A summary of the RFPG process for identifying potential FMEs and potentially feasible FMSs and FMPs shall be established and included in the draft and final adopted RFP.
5. The RFPG shall then identify potentially feasible FMSs and FMPs in accordance with the RFPG established process.
6. For areas within the FPR that the RFPG does not yet have sufficient information or resources to identify potentially feasible FMSs and FMPs, the RFPG shall identify areas for potential FMEs that may eventually result in FMSs and/or FMPs.
7. The RFPG shall evaluate potentially feasible FMSs and FMPs understanding that, upon evaluation and further inspection, some FMSs or FMPs initially identified as potentially feasible may, after further inspection, be reclassified as infeasible.

8. Evaluations of potentially feasible FMSs and FMPs will require associated, detailed hydrologic and hydraulic modeling results that quantify the reduced impacts from flood events and the associated benefits and costs. Information may be based on previously performed evaluations of projects and related information. Evaluations of potentially feasible FMS and FMPs shall include the following information and be based on the following analyses:
 - a. A reference to the specific flood mitigation or floodplain management goal addressed by the feasible FMS or FMP;
 - b. A determination of whether FMS or FMP meets an emergency need;
 - c. An indication regarding the potential use of federal funds, or other sources of funding, as a component of the total funding mechanism;
 - d. An equitable comparison between and consistent assessment of all FMSs and FMPs that the RFPG determines to be potentially feasible;
 - e. A demonstration that the FMS or FMP will not negatively affect a neighboring area;
 - f. A quantitative reporting of the estimated benefits of the FMS or FMP, including reductions of flood impacts of the 1.0% annual chance flood event and other storm events identified and evaluated if the project mitigates to a more frequent event, to include, but not limited to:
 - (1) Associated flood events that must, at a minimum, include the 1.0% annual chance flood event and other storm events identified and evaluated;
 - (2) Reduction in habitable, equivalent living units flood risk;
 - (3) Reduction in residential population flood risk;
 - (4) Reduction in critical facilities flood risk;
 - (5) Reduction in road closure occurrences;
 - (6) Reduction in acres of active farmland and ranchland flood risk;
 - (7) Estimated reduction in fatalities, when available;
 - (8) Estimated reduction in injuries, when available;
 - (9) Reduction in expected annual damages from residential, commercial, and public property; and
 - (10) Other benefits as deemed relevant by the RFPG including environmental benefits and other public benefits.
 - g. A quantitative reporting of the estimated capital cost of FMPs in accordance with TWDB Flood Planning guidance documents;
 - h. Calculated benefit-cost ratio for FMPs in accordance with *Exhibit C: General Guidelines* and based on current, observed conditions;
 - i. For projects that will contribute to water supply, all relevant evaluations required under §357.34(e) (relating to Identification and Evaluation of Potentially Feasible Water Management Strategies and Water Management Strategy Projects), as determined by the EA based on the type of

- contribution, and a description of its consistency with the currently adopted State Water Plan;
- j. A description of potential impacts and benefits from the FMS or FMP to the environment, agriculture, recreational resources, navigation, water quality, erosion, sedimentation, and impacts to any other resources deemed relevant by the RFPG;
 - k. A description of residual, post-project, and future risks associated with FMPs including the risk of potential catastrophic failure and the potential for future increases to these risks due to lack of maintenance;
 - l. Implementation issues including those related to rights-of-way, permitting, acquisitions, relocations, utilities and transportation; and
 - m. Funding sources and options that exist or will be developed to pay for development, operation, and maintenance of the FMS or FMP.
9. Evaluations of potential FMEs will be at a reconnaissance or screening-level, unsupported by associated detailed hydrologic and hydraulic analyses. These will be identified for areas that the RFPG considers a priority for flood risk evaluation but that do not yet have the required detailed hydrologic and hydraulic modeling or associated project evaluations available to evaluate specific FMSs or FMPs for recommendation in the RFP. These FMEs shall be based on recognition of the need to develop detailed hydrologic models or to perform associated hydraulic analyses and associated project evaluations in certain areas identified by the RFPG.

Evaluations of potential FMEs shall include the following analyses:

- a. A reference to the specific flood mitigation or floodplain management goal to be addressed by the potential FME.
- b. A determination of whether FME may meet an emergency need.
- c. An indication regarding the potential use of federal funds, or other sources of funding as a component of the total funding mechanism.
- d. An equitable comparison between and consistent assessment of all FMEs.
- e. An indication of whether hydrologic and or hydraulic models are already being developed or are anticipated in the near future and that could be used in the FME.
- f. A quantitative reporting of the estimated benefits, including reductions of flood risks, to include:
 - (1) Estimated habitable, living unit equivalent and associated population in FME area;
 - (2) Estimated critical facilities in FME area;
 - (3) Estimated number of roads closures occurrences in FME area;
 - (4) Estimated acres of active farmland and rangeland in FME area; and
 - (5) A quantitative reporting of the estimated study cost of the FME and whether the cost includes use of existing or development of new hydrologic or hydraulic models.

- g. For FMEs, RFPGs do not need to demonstrate that an FME will not negatively affect a neighboring area.
10. RFPGs shall evaluate and present potential FMEs and potentially feasible FMSs and FMPs with sufficient specificity to allow state agencies to make financial or regulatory decisions to determine consistency of the proposed action before the state agency with an approved RFP.
11. Analyses shall be performed in accordance with TWDB Flood Planning guidance documents.
12. All data produced as part of the analyses under this task shall be organized and summarized in the RFP in accordance with TWDB Flood Planning guidance documents.
13. Analyses shall clearly designate a representative location of the FME and beneficiaries including a map and designation of HUC8 and county location.

The information gathered and developed in preparation of this chapter shall be subject to the following review process prior to submission of any deliverables:

1. Review of the chapter documents and related information by RFPG members.
2. Modifications to the chapter document based on RFPG, public, and/or agency comments.
3. Submittal of chapter document to TWDB for review and approval.
4. All effort required to obtain final approval of the RFP chapter by TWDB.

Deliverables:

- Prepare a stand-alone chapter (including work from both Tasks 4B & 5) to be included in the 2023 RFP.
- A list of the potentially feasible FMSs and associated FMPs that were identified by the RFPG. The TWDB Flood Planning guidance documents will include minimum data submittal requirements and deliverable format.
- A map identifying the geographic locations within the FPR considered to have the greatest flood mitigation and flood risk study needs where potential FMEs and potentially feasible FMSs and FMPs shall be evaluated. TWDB Flood Planning guidance documents will include minimum data submittal requirements and deliverable format.
- Data shall be organized and summarized in the RFP in accordance with TWDB Flood Planning guidance documents.
- A tabulated list and GIS map of all pertinent information. All maps should be submitted with underlying GIS data utilized to prepare them.
- Any additional deliverables identified in the TWDB Flood Planning guidance documents.

Task 4C – Prepare and Submit Technical Memorandum

In addition to generally meeting all applicable rules and statute requirements governing regional and state flood planning under 31 TAC Chapters 361 and 362, this portion of work shall, in particular, include all work necessary to meet all the requirements of 31 TAC §361.13(e).

This Task includes, but is not limited to, performing all work in accordance with TWDB rules and guidance required to:

1. Prepare a concise Technical Memorandum to include:
 - a. A list of existing political subdivisions within the FPR that have flood-related authorities or responsibilities;
 - b. A list of previous flood studies considered by the RFPG to be relevant to development of the RFP;
 - c. A geodatabase and associated maps in accordance with TWDB Flood Planning guidance documents that the RFPG considers to be best representation of the region-wide 1.0% annual chance flood event and 0.2% annual chance flood event inundation boundaries, and the source of flooding for each area, for use in its risk analysis, including indications of locations where such boundaries remain undefined;
 - d. A geodatabase and associated maps in accordance with TWDB Flood Planning guidance documents that identifies additional flood-prone areas not described in (c) based on location of hydrologic features, historic flooding, and/or local knowledge;
 - e. A geodatabase and associated maps in accordance with TWDB Flood Planning guidance documents that identifies areas where existing hydrologic and hydraulic models needed to evaluate FMSs and FMPs are available;
 - f. A list of available flood-related models that the RFPG considers of most value in developing its plan;
 - g. The flood mitigation and floodplain management goals adopted by the RFPG per §361.36;
 - h. The documented process used by the RFPG to identify potentially feasible FMSs and FMPs;
 - i. A list of potential FMEs and potentially feasible FMSs and FMPs identified by the RFPG, if any; and
 - j. A list of FMSs and FMPs that were identified but determined by the RFPG to be infeasible, including the primary reason for it being infeasible.
2. Approve submittal of the Technical Memorandum to TWDB at a RFPG meeting subject notice requirements in accordance with 31 TAC §361.21(h). The Technical Memorandum must be submitted to TWDB in accordance with Section I Article I of the contract.

Task 5 – Recommendation of Flood Management Evaluations and Flood Management Strategies and Associated Flood Mitigation Projects

In addition to generally meeting all applicable rules and statute requirements governing regional and state flood planning under 31 TAC Chapters 361 and 362, this portion of work shall, in particular, include all work necessary to meet all the requirements of 31 TAC §361.39.

The objective of this task is to evaluate and recommend Flood Management Evaluations (FMEs), Flood Management Strategies (FMSs) and their associated Flood Mitigation Projects (FMPs) to be included in the 2023 RFP that describes the work completed, presents the potential FMEs, potentially feasible FMSs and FMPs, recommended and alternative FMSs and FMPs, including all the technical evaluations, and presents which entities will benefit from the recommended FMSs and FMPs.

Work associated with any Task 5 subtasks shall be contingent upon a written notice-to-proceed. This Task includes, but is not limited to, performing all work in accordance with TWDB rules and guidance required to:

1. Recommend FMSs and FMPs to reduce the potential impacts of flood based on the evaluations under §361.38 and RFPG goals and that must, at a minimum, mitigate for flood events associated with at 1.0 percent annual chance (100-yr flood) where feasible. In instances where mitigating for 100-year events is not feasible, FMS and FMPs to mitigate more frequent events may be recommended based on TWDB Flood Planning guidance documents. Recommendations shall be based upon the identification, analysis, and comparison of alternatives that the RFPG determines will provide measurable reductions in flood impacts in support of the RFPG's specific flood mitigation and/or floodplain management goals.
2. Provide additional information in conformance with TWDB Flood Planning guidance documents which will be used to rank recommended FMPs in the state flood plan.
3. Recommend FMEs that the RFPG determines are most likely to result in identification of potentially feasible FMSs and FMPs that would, at a minimum, identify and investigate one solution to mitigate for flood events associated with a 1.0% annual chance flood event and that support specific RFPG flood mitigation and/or floodplain management goals.
4. Recommended FMSs or FMPs may not negatively affect a neighboring area or an entity's water supply.
5. Recommended FMSs or FMPs that will contribute to water supply may not result in an overallocation of a water source based on the water availability allocations in the most recently adopted State Water Plan.
6. Specific types of FMEs, FMSs, or FMPs that should be included and that should not be included in RFPs must be in accordance with TWDB Flood Planning guidance documents.

7. FMS and FMP documentation shall include a strategy or project description, discussion of associated facilities, project map, and technical evaluations addressing all considerations and factors required under 31 TAC §361.38(h).
8. Coordinate and communicate with FME, FMS, and FMP sponsors, individual local governments, regional authorities, and other political subdivisions.
9. Process documentation of selecting all recommended FMSs and associated FMPs including development of FMS evaluations matrices and other tools required to assist the RFPG in comparing and selecting recommended FMSs and FMPs.
10. Document the evaluation and selection of all recommended FMS and FMPs, including an explanation for why certain types of strategies may not have been recommended.

The information gathered and developed in preparation of this chapter shall be subject to the following review process prior to submission of any deliverables:

1. Review of the chapter documents and related information by RFPG members.
2. Modifications to the chapter document based on RFPG, public, and/or agency comments.
3. Submittal of chapter document to TWDB for review and approval.
4. All effort required to obtain final approval of the RFP chapter by TWDB.

Deliverables:

- Prepare a stand-alone chapter (including work from both Tasks 4B & 5) to be included in the 2023 RFP to include technical analyses of all evaluated FMSs and FMPs.
- A list of the recommended FMEs, FMSs, and associated FMPs that were identified by the RFPG. TWDB Flood Planning guidance documents will include minimum data submittal requirements and deliverable format.
- Data shall be organized and summarized in the RFP in accordance with TWDB Flood Planning guidance documents.
- A tabulated list and GIS map of all pertinent information. All maps should be submitted with underlying GIS data utilized to prepare them.
- Any additional deliverables identified in the TWDB Flood Planning guidance documents.

Task 6A – Impacts of Regional Flood Plan

In addition to generally meeting all applicable rules and statute requirements governing regional and state flood planning under 31 TAC Chapters 361 and 362, this portion of work shall, in particular, include all work necessary to meet all the requirements of 31 TAC §361.40.

This Task includes, but is not limited to, performing all work in accordance with TWDB rules and guidance required to include:

1. a region-wide summary of the relative reduction in flood risk that implementation of the RFP would achieve within the region including with regard to life, injuries, and property.
2. a statement that the FMPs in the plan, when implemented, will not negatively affect neighboring areas located within or outside of the FPR.
3. a general description of the types of potential positive and negative socioeconomic or recreational impacts of the recommended FMSs and FMPs within the FPR.
4. a general description of the overall impacts of the recommended FMPs and FMSs in the RFP on the environment, agriculture, recreational resources, water quality, erosion, sedimentation, and navigation.

The information gathered and developed in preparation of this chapter shall be subject to the following review process prior to submission of any deliverables:

1. Review of the chapter documents and related information by RFPG members.
2. Modifications to the chapter document based on RFPG, public, and/or agency comments.
3. Submittal of chapter document to TWDB for review and approval.
4. All effort required to obtain final approval of the RFP chapter by TWDB.

Deliverables: Prepare a stand-alone chapter (including work from both Tasks 6A & 6B) to be included in the 2023 RFP. Any additional deliverables identified in the TWDB Flood Planning guidance documents.

Task 6B – Contributions to and Impacts on Water Supply Development and the State Water Plan

In addition to generally meeting all applicable rules and statute requirements governing regional and state flood planning under 31 TAC Chapters 361 and 362, this portion of work shall, in particular, include all work necessary to meet all the requirements of 31 TAC §361.41.

This Task includes, but is not limited to, performing all work in accordance with TWDB rules and guidance required to:

1. Include a region-wide summary and description of the contribution that the regional flood plan would have to water supply development including a list of the specific FMSs and FMPs that would contribute to water supply.
2. Include a description of any anticipated impacts, including to water supply or water availability or projects in the State Water Plan, that the regional flood plan FMSs and FMPs may have.

The information gathered and developed in preparation of this chapter shall be subject to the following review process prior to submission of any deliverables:

1. Review of the chapter documents and related information by RFPG members.
2. Modifications to the chapter document based on RFPG, public, and/or agency comments.
3. Submittal of chapter document to TWDB for review and approval.
4. All effort required to obtain final approval of the RFP chapter by TWDB.

Deliverables: Prepare a stand-alone chapter (including work from both Tasks 6A & 6B) to be included in the 2023 RFP. Any additional deliverables identified in the TWDB Flood Planning guidance documents.

Task 7 – Flood Response Information and Activities

In addition to generally meeting all applicable rules and statute requirements governing regional and state flood planning under 31 TAC Chapters 361 and 362, this portion of work shall, in particular, include all work necessary to meet all the requirements of 31 TAC §361.42.

This Task includes, but is not limited to, performing all work in accordance with TWDB rules and guidance required to:

1. Summarize the nature and types of flood response preparations within the FPR including providing where more detailed information is available regarding recovery.
2. Coordinate and communicate, as necessary, with entities in the region to gather information.
3. RFPGs shall not perform analyses or other activities related to planning for disaster response or recovery activities.
4. Plans to be considered in developing this chapter include relevant plans referenced under 31 TAC §361.22.

The information gathered and developed in preparation of this chapter shall be subject to the following review process prior to submission of any deliverables:

1. Review of the chapter documents and related information by RFPG members.
2. Modifications to the chapter document based on RFPG, public, and/or agency comments.
3. Submittal of chapter document to TWDB for review and approval.
4. All effort required to obtain final approval of the RFP chapter by TWDB.

Deliverables: Prepare a stand-alone chapter to be included in the 2023 RFP. Any additional deliverables identified in the TWDB Flood Planning guidance documents.

Task 8 – Administrative, Regulatory, and Legislative Recommendations

In addition to generally meeting all applicable rules and statute requirements governing regional and state flood planning under 31 TAC Chapters 361 and 362, this portion of work shall, in particular, include all work necessary to meet all the requirements of 31 TAC §361.43.

The objective of this task is to prepare a separate chapter to be included in the 2023 RFP that presents the RFPG's administrative, legislative, and regulatory recommendations.

This Task includes, but is not limited to, performing all work in accordance with TWDB rules and guidance required to develop:

1. Legislative recommendations that they consider necessary to facilitate floodplain management and flood mitigation planning and implementation.
2. Other regulatory or administrative recommendations that they consider necessary to facilitate floodplain management and flood mitigation planning and implementation.
3. Any other recommendations that the RFPG believes are needed and desirable to achieve its regional flood mitigation and floodplain management goals.
4. Recommendations regarding potential, new revenue-raising opportunities, including potential new municipal drainage utilities or regional flood authorities, that could fund the development, operation, and maintenance of floodplain management or flood mitigation activities in the region.

The information gathered and developed in preparation of this chapter shall be subject to the following review process prior to submission of any deliverables:

1. Review of the chapter documents and related information by RFPG members.
2. Modifications to the chapter document based on RFPG, public, and/or agency comments.
3. Submittal of chapter document to TWDB for review and approval.
4. All effort required to obtain final approval of the RFP chapter by TWDB.

Deliverables: Prepare a stand-alone chapter to be included in the 2023 RFP. Any additional deliverables identified in the TWDB Flood Planning guidance documents.

Task 9 – Flood Infrastructure Financing Analysis

In addition to generally meeting all applicable rules and statute requirements governing regional and state flood planning under 31 TAC Chapters 361 and 362, this portion of work shall, in particular, include all work necessary to meet all the requirements of 31 TAC §361.44.

The objective of this task is to report on how sponsors of recommended FMPs propose to finance projects.

This Task includes, but is not limited to, performing all work in accordance with TWDB rules and guidance required to:

1. Coordinate and communicate with individual local governments, regional authorities, and other political subdivisions.
2. Perform a survey, including the following work:
 - a. Contacting FME and FMP sponsors.

- b. Collection and collation of data.
 - c. Documentation of the effectiveness of survey methodology, providing percent survey completions, and whether an acceptable minimum percent survey completion was achieved.
 - d. Submission of data.
3. Coordinate with FME and FMP sponsors as necessary to ensure detailed needs and costs associated with their anticipated evaluations and projects are sufficiently represented in the RFP for future funding determinations.
 4. Assist the RFPG with the development of recommendations regarding the proposed role of the State in financing flood infrastructure projects identified in the RFP.
 5. Summarize the survey results.

The information gathered and developed in preparation of this chapter shall be subject to the following review process prior to submission of any deliverables:

1. Review of the chapter documents and related information by RFPG members.
2. Modifications to the chapter document based on RFPG, public, and/or agency comments.
3. Submittal of chapter document to TWDB for review and approval.
4. All effort required to obtain final approval of the RFP chapter by TWDB.

Deliverables: A completed Chapter 9 shall be delivered in the 2023 RFP to include summary of reported financing approaches for all recommended FMPs. Data shall be submitted in accordance with TWDB guidance documents. Any additional deliverables identified in the TWDB Flood Planning guidance documents.

Task 10 – Public Participation and Plan Adoption

The objective of this task is to address public participation, public meetings, eligible administrative and technical support activities, and other requirements and activities eligible for reimbursement. Objectives also include activities necessary to complete and submit a draft RFP and final RFP, and obtain TWDB approval of the RFP.

This Task includes, but is not limited to, performing all work in accordance with TWDB rules and guidance required to:

1. In addition to generally meeting all applicable statute requirements governing regional and state flood planning this portion of work shall, in particular, include all technical and administrative support activities necessary to meet all the requirements of 31 TAC Chapters 361 and 362 that are not already addressed under the scope of work associated with other contract Tasks but that are necessary and or required to complete and deliver an draft Regional Flood Plan and final, adopted RFP to TWDB and obtain approval of the adopted RFP by TWDB.
2. Organization, support, facilitation, and documentation of all meetings/hearings associated with: preplanning meeting; consideration of a substitution of alternative flood management strategies; public hearing after adoption of the draft Regional

Flood Plan and prior to adoption of the final RFP; and consideration of RFP amendments, alternative FMS substitutions, or Board-directed revisions.

Technical Support and Administrative Activities

1. RFPGs shall support and accommodate periodic presentations by the TWDB for the purpose of orientation, training, and retraining as determined and provided by the TWDB during regular RFPGRWPG meetings.
2. Attendance and participation of technical consultants at RFPG, subgroup, subcommittees, special and or other meetings and hearings including preparation and follow-up activities.
3. Developing technical and other presentations and handout materials for regular and special meetings to provide technical and explanatory data to the RFPG and its subcommittees, including follow-up activities.
4. Administrative and technical support and participation in RFPG activities, and documentation of any RFPG workshops, work groups, subgroup and/or subcommittee activities.
5. Technical support and administrative activities associated with periodic and special meetings of the RFPG including developing agendas and coordinating activities for the RFPG.
6. Provision of status reports to TWDB for work performed under this Contract.
7. Development of draft and final responses for RFPG approval to public questions or comments as well as approval of the final responses to comments on RFP documents.
8. Intraregional and interregional coordination and communication, and or facilitation required within the FPR and with other RFPGs to develop a RFP.
9. Incorporation of all required data and reports into RFP document.
10. Modifications to the RFP documents based on RFPG, public, and or agency comments.
11. Preparation of a RFP chapter summarizing Task 10 activities including review by RFPG and modification of document as necessary.
12. Development and inclusion of Executive Summaries in both draft Regional Flood Plan and final RFP.
13. Production, distribution, and submittal of all draft and final RFP-related planning documents for RFPG, public and agency review, including in hard-copy format when required.
14. Assembling, compiling, and production of the completed draft Regional Flood Plan and Final Regional Flood Plan document(s) that meet all requirements of statute, 31 TAC Chapters 361 and 362, Contract and associated guidance documents.
15. Submittal of the RFP documents in both hard copy and electronic formats to TWDB for review and approval; and all effort required to obtain final approval of the RFP by TWDB.

Other Activities

Draft RFP Scope of Work

1. Review of all RFP-related documents by RFPG members.
2. Development and maintenance of a RFPG website or RFPG-dedicated webpage on the RFPG administrator's website for posting planning group meeting notices, agendas, materials, and plan information.
3. Limited non-labor, direct costs associated with maintenance of the RFPG website.
4. Development of agendas, presentations, and handout materials for the public meetings and hearings to provide to the general public.
5. Documentation of meetings and hearings to include recorded minutes and/or audio recordings as required by the RFPG bylaws and archiving and provision of minutes to public.
6. Preparation and transmission of correspondence, for example, directly related to public comments on RFP documents.
7. Promoting consensus decisions through conflict resolution efforts including monitoring and facilitation required to resolve issues between and among RFPG members and stakeholders in the event that issues arise during the process of developing the RFP, including mediation between RFPG members, if necessary.
8. RFPG membership solicitation activities.
9. Meeting all posting, meeting, hearing and other public notice requirements in accordance with the open meetings act, statute, and 31 TAC §361.21 and any other applicable public notice requirements.
10. Solicitation, review, and dissemination of public input, as necessary.
11. Any efforts required, but not otherwise addressed in other SOW tasks that may be required to complete an RFP in accordance with all statute and rule requirements.

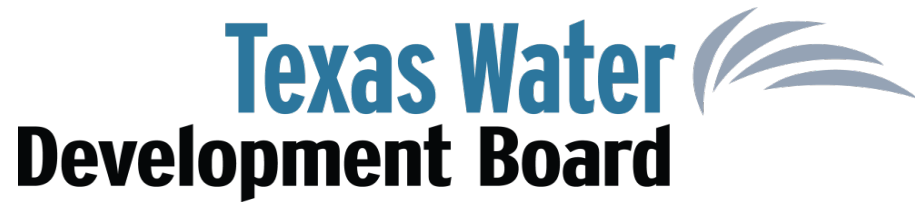
Deliverables:

- A completed Chapter 10 summarizing public participation activities and appendices with public comments and RFPG responses to comments.
- Complete draft Regional Flood Plan and final, adopted RFP documents.
- Any additional deliverables identified in the TWDB Flood Planning guidance documents.

Attachment E
Voting Planning Member Travel Budget

Voting Planning Member Travel Budget					
Starting Location	Distance to Childress	Rate/Mile	Roundtrip Cost	Number of Members	Cost by Location
Amarillo	117.5	0.575	\$135.13	2	\$270.25
Canyon	127.2	0.575	\$146.28	2	\$292.56
Groom	86.6	0.575	\$99.59	1	\$99.59
Iowa Park	96.6	0.575	\$111.09	1	\$111.09
Nocona	154	0.575	\$177.10	1	\$177.10
Wichita Falls	108	0.575	\$124.20	2	\$248.40
Total Cost of Member Travel per Meeting:					\$1,198.99
Total Cost of Member Travel over Planning Cycle:					\$14,387.88
*Not including five voting member positions					

Attachment F
RFA Checklist



**Texas Water Development Board
Regional Flood Planning Grant
Application Checklist**

November 2020

All applications **must be complete** when submitted to the TWDB. A list of required items with check boxes has been provided in the following pages to assist you in completing the application. **Please check the boxes after you have included the respective items in the application and return the completed checklist with the application.**

I. GENERAL INFORMATION

- 1. Legal name of applicant(s).
- 2. Regional Flood Planning Group.
- 3. Authority of law under which the applicant was created.
- 4. Applicant's official representative, Name, Title, Mailing address, Phone number, Fax number, if available, E-mail Address, and Vendor ID Number.
- 5. DUNS Number. If you do not have a DUNS number, visit:
<https://iupdate.dnb.com/iUpdate/viewiUpdateHome.htm>
- 6. Total proposed planning cost estimate (see Table 1 for total cost by region).
- 7. Total grant funds requested from the Texas Water Development Board.
- 8. Statement of the purpose for which the money will be used (Not to exceed 1 page).
- 9. Description of why state funding assistance is needed (Not to exceed 1 page).

II. ADMINISTRATIVE DOCUMENTATION

- 10. Written designation from the RFPG naming the Planning Group Sponsor that is authorized to apply for these grant funds on behalf of the RFPG (as required in 31 TAC §361.70(b)).
- 11. A copy of or website link to the RFPG's adopted by-laws (as required in 31 TAC §361.70(a)).
- 12. Written documentation that the RFPG considered additional, region-specific, public notice requirements at a meeting in accordance with 31 TAC 361.12(3) prior to taking action regarding its application for funding (as required in 31 TAC §361.70(c)).

III. PLANNING INFORMATION

- 13. A detailed scope of work for proposed planning. Include the *Scope of Work for the First Cycle of Regional Flood Planning* document prepared by TWDB located at <http://www.twdb.texas.gov/flood/planning/doc/2020DraftSOW.pdf>
- 14. A task budget for detailed scope of work by task.
- 15. Is the RFPG suggesting modifications to the TWDB's proposed task budget?
Yes No
- 16. If yes, to No. 15 above, provide written justification for the changes.
- 17. An expense budget for scope of work by expense category. *Example is included.*
- 18. A time schedule for completing detailed Scope of Work by task (see Scope of Work document referenced above).
- 19. Specific deliverables for each task in Scope of Work (see Scope of Work document referenced above).
- 20. Method of monitoring study progress.
- 21. Qualifications and direct experience of proposed project staff.

IV. WRITTEN ASSURANCES

Written assurance of the following items:

- Proposed planning does not duplicate existing projects.

Please check the boxes after you have included the respective items in the application and return the completed checklist with the application.

Region 1 Canadian-Upper Red

PO Box 9257
Amarillo, Texas 79105

Regional Flood Planning Group

P: (806) 372-3381
F: (806) 373-3268

Memorandum

To: Region 1 Canadian-Upper Red Regional Flood Planning Group Meeting
From: Dustin Meyer, Local Government Services Director
Date: January 14, 2021
Re: Agenda Item #15

Discuss and Action as Appropriate –

Consideration of the development of a Request for Qualifications (RFQ) to procure necessary Technical Services for the 2023 Regional Flood Plan.

- a. **Public Comments (Public comments limited to 3 minutes per speaker).**
- b. **Discussion and Consideration of the RFQ for Technical Services**

Attachment: Request for Qualifications

Request for Qualifications

Distribution List

Firm/Organization	Contact	Contact Information
Bill Hutchison	Bill Hutchison	billhutch@texasgw.com
Blanton Associates	Velma Danielson	velma.danielson@blantonassociates.com
Bureau of Economic Geology	Dr. Bridget Scanlon	bridget.scanlon@beg.utexas.edu
CDM Smith	Samir Mathur	mathurss@cdmsmith.com
Close Consulting Group	Bence V Close, PE	bclose@closegrouppllc.com
Espey Consultants, Inc.	William H. Espey	(806) 681-8275
Freese & Nichols, Inc.	Brian Beach	Janell.broyeles@freese.com
Intera	Kim Gordon	kgordon@intera.com
Kimley Horn	Kenny Friar	Kenny.Friar@kimley-horn.com
Leonard Rice Engineers, Inc.	Mike Keester	Mike.Keester@LREWater.com
Parkhill, Smith and Cooper	Kole Glover	KGlover@Parkhill.com
Talon LPE	David Prescott	dprescott@talonlpe.com
Texas Agrilife	Brent Auvermann	b-auvermann@tamu.edu
West Texas A&M University	Erick Butler	ebutler@wtamu.edu
WSP (formerly LBG Guyton)	Jeffrey Davis	Kristie.Laughlin@wsp.com

Other Organizations for Solicitation

Secretary of State	https://www.sos.state.tx.us/
Texas Alliance of Groundwater Districts	https://texasgroundwater.org/
Texas Water Conservation Association	https://twca.formstack.com/forms/twca_job_posting
Panhandlewater	Panhandlewater.org
Amarillo Globe News	

Region 1 Canadian-Upper Red

PO Box 9257
Amarillo, Texas 79105

Regional Flood Planning Group

P: (806) 372-3381
F: (806) 373-3268

Memorandum

To: Firms/Individuals Interested in Regional Flood Planning
From: Dustin Meyer, Local Government Services Director
Date: January __, 2021
Re: Consultant Selection Methodology

Timeline

RFQ issued: January 19, 2021

Statement of Qualifications due: February 18, 2021

Consultant Committee Review: February 22-26, 2021

Tentative Award/Additional Interview Date: March 1-12, 2021

The Panhandle Water Planning Group is utilizing its Executive Committee to oversee the consultant selection process. This Committee is responsible for issuing RFQ's, reviewing proposals, determining the need for interviews, and recommending to the Region 1 Canadian-Upper Red Regional Flood Planning Group (RFPG) either a short list of finalists for interview or a recommended firm with which to contract for each RFQ. In addition, the Committee has the authority to conduct interviews among themselves or before the Planning Group as a whole.

Evaluation of Engineering Statements of Qualifications

Nine general categories will be evaluated when reviewing Statements of Qualifications and proposals:

- 1) Familiarity with Texas Flood Planning Requirements
- 2) Relevant Experience of the Firm with Flood Risk Analyses, Flood Management Strategies, and Flood Mitigation
- 3) Capacity to Perform Services
- 4) Competency and Availability of Staff
- 5) Specific Expertise in Comprehensive Flood Planning
- 6) Ability to Avoid Cost Escalation & Overrun
- 7) Project Approach

**REGION 1 CANADIAN-UPPER RED REGIONAL FLOOD PLANNING GROUP
REQUEST FOR STATEMENT OF QUALIFICATIONS
TO PREPARE REGIONAL FLOOD PLAN FOR CANADIAN-UPPER RED FLOOD PLANNING REGION
AS DEFINED BY 31 TAC CHAPTERS 361 & 362**

The Region 1 Canadian-Upper Red Regional Flood Planning Group (RFPG) acting through the Panhandle Regional Planning Commission (PRPC) invites all qualified parties to submit a statement of qualifications for preparing a Regional Flood Plan for the Canadian-Upper Red RFPG, as defined by 31 TAC Chapters 361 and 362.

BACKGROUND

The Region 1 Canadian-Upper Red Regional Flood Planning Group (RFPG) was established by the Texas Water Development Board (TWDB) on October 1, 2020. In the wake of historic flooding in Texas, the 2019 Texas Legislature passed legislation to create Texas' first-ever regional and state flood planning process and provide funding for investments in flood science and mapping efforts to support plan development. The legislature created a state flood planning framework and charged the Texas Water Development Board (TWDB) with creating flood planning regions based on river basins and administering the required, ongoing work of flood planning. This effort is aimed at better managing flood risk to reduce loss of life and property from flooding. Each flood planning group will be responsible for developing Texas' first regional flood plans by January 2023, which will culminate in the state's first-ever state flood plan.

The Canadian-Upper Red flood planning region (FPR) is one of fifteen across the state of Texas. It is comprised of 44 counties including the entirety of Armstrong, Briscoe, Carson, Childress, Collingsworth, Cottle, Dallam, Deaf Smith, Donley, Foard, Gray, Hall, Hansford, Hardeman, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Motely, Ochiltree, Oldham, Potter, Randall, Roberts, Sherman, Wheeler, Wichita, and Wilbarger and partially includes Archer, Baylor, Castro, Clay, Cooke, Crosby, Dickens, Floyd, Hale, King, Knox, Montague, Parmer, Swisher, and Young.

Under the direction of the Canadian-Upper Red RFPG, the consultant shall prepare a Regional Flood Plan for the Canadian-Upper Red FPR. The consultant shall also assist the RFPG in preparing an appropriate Scope of Work that adequately addresses all tasks in 31 TAC 361 and contains the elements for a scope of work as defined in 31 TAC 362, i.e. the description of tasks, responsible parties, schedule, and description of deliverables.

In addition to the technical role, the consultant shall assist the RFPG's political subdivision in the preparation of applications for financial assistance, design and implementation of public involvement activities, including conducting public meetings, reviewing and responding to public comments, and developing educational materials on regional flood planning issues for presentation to both technical and non-technical audiences in the region.

Consultants submitting qualifications should be familiar with the rules for state and regional flood planning and regional flood planning grant assistance adopted by the TWDB (31 TAC Chapter 361, Subchapter C, Regional Flood Plan Requirements, 31 TAC Chapter F, Regional Flood Planning Grants and 31 TAC Chapter 362 State Flood Planning Guideline Rules, Subchapter A, State Flood Plan Development). These rules contain procedures governing applications for financial assistance related to the development or revision of regional flood management plans, and guidelines for the development of the state flood plan. Particularly, the rules contain specific time frames and requirements for deadlines for the submittal of specific deliverables associated with the scope of work and regional flood plan. The schedule for completion and delivery of work products for the RFPG shall reflect these publication deadlines to the degree currently feasible.

ADDITIONAL INFORMATION

The purpose of this request for statements of qualifications is to permit the evaluation of the relative professional and technical qualifications of respondents.

The statement of qualifications should be no more than 30 pages in length, including cover letter and resumes of project team members. Responses should address the following:

- 1) Describe your firm's approach to executing the work associated with this project while adhering to the following guidance principles and satisfying the regional flood plan requirements outlined in 31 Texas Administrative Code Chapters 361 and 362.
 - Draft Scope of Work:
<https://www.twdb.texas.gov/flood/planning/planningdocu/2023/index.asp>
 - Regional Flood Planning Guidance Principles:
[https://texreg.sos.state.tx.us/public/readtac\\$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=31&pt=10&ch=362&rl=3](https://texreg.sos.state.tx.us/public/readtac$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=31&pt=10&ch=362&rl=3)
 - Regional Flood Plan Requirements:
[https://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=5&ti=31&pt=10&ch=361&sch=C&rl=Y](https://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=5&ti=31&pt=10&ch=361&sch=C&rl=Y)
- 2) A list of at least five (5) projects similar to the scope of work discussed herein, with descriptions of the projects, members of the project teams, time schedule, and contact persons who are able to verify the information presented. All projects must have been completed within the past ten (10) years and demonstrate as many of the following types of recent work experience as possible:
 - Flood planning and flood risk analyses efforts;
 - Flood mitigation need analysis and flood management evaluations;
 - Development of flood mitigation strategies to address unmet future needs;
 - Understanding and experience in Texas Water Law related issues to facilitate floodplain management and flood mitigation planning and implementation;
 - Familiarity and experience with flood infrastructure financing analysis;

- Demonstrate the ability to provide Geographic Information System (GIS) database and mapping deliverables;
 - Experience with environmental issues and analyses related to flood events;
 - Knowledge of statutory and regulatory policies affecting flood infrastructure and flood management and mitigation;
 - Regional and state water planning for various size regions and states;
 - Productive projects involving the Texas Water Development Board;
 - Interactions with diverse interest groups and stakeholders participating in regional water planning;
 - Familiarity and experience with TWDB grant administration and timely and comprehensive invoicing requirements;
 - Competent management and reporting of project subcontractors;
 - Ability to collect and manage data and information available from relevant sources.
- 3) Identify the project manager and team members with their professional licenses and qualifications to perform the proposed professional services. Include an organizational chart identifying the specific individuals (by name) and their role(s) within this project.
 - 4) Resume's for team members associated with the project (Submitted as part of the Statement of Qualifications and included in the page limit). This should include a succession plan for a scenario where key project members are no longer available to the firm.
 - 5) Your firm's resources and capabilities: including location, size, staffing, and length of local office's existence in Texas along with a plan identifying how the firm will be available in the region.
 - 6) Indication of the number and purposes of subcontractors including a detail of the percentage of the project anticipated to utilize subcontractors.
 - 7) A description of the Firm's ability to complete projects without significant cost escalations or overrun.
 - 8) The capability of your firm to commit necessary resources to the project in order to meet the project schedule.
 - Working Conceptual Schedule for the First Cycle of Regional Flood Planning:
<https://www.twdb.texas.gov/flood/planning/planningdocu/2023/index.asp>

Any additional information you would like the RFPG to be aware of or which you feel might have a direct bearing on your firm's qualification to perform on the project.

SELECTION

The selection of the successful firm(s) shall be accomplished by a vote of the RFPG. Based on the number of responses received and the preference of the members, the full RFPG and/or RFPG Executive Committee may request formal presentations from a short list of selected firms for the project.

SELECTION CRITERIA

Category	Maximum Points
Familiarity with Texas Flood Planning Requirements	20
Relevant Experience of the Firm with Flood Risk Analyses, Flood Management Strategies, and Flood Mitigation	15
Capacity to Perform Services	30
Competency and Availability of Staff	20
Specific Expertise in Comprehensive Flood Planning	15
Ability to Avoid Cost Escalation & Overrun	15
Project Approach	20
Total	135

SCHEDULE

January 19, 2021	Advertise and mail notices for Request for Qualifications
February 18, 2021	Statement of Qualifications Due
February 22-26, 2021	Executive Committee review of SOQs and preparation of recommendation; Committee may recommend that short-listed firms make a presentation to the RFPG.

*The Executive Committee reserves the right to hold additional review meetings regarding SOQ submittals as necessary.

March 1-12, 2021	Presentations and interviews by short-listed consultants if requested by Executive Committee. Anticipated that the RFPG selects consultant.
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*Firms submitting SOQs will be directly notified at least one week prior to the full RFPG meeting date in order to ensure that appropriate arrangements may be made.

ACKNOWLEDGEMENTS

The submittal either as part of the Statement of Qualifications or the cover letter shall provide the following acknowledgments:

- Acknowledgment that, if requested, you will prepare and make a presentation to the RFPG;
- Acknowledgment that, if selected, the key individuals of the proposed team will not be changed without the written approval of the RFPG; and

- Acknowledgment that, if selected, you will conform to TWDB rules and requirements for grant funding and timely and comprehensive invoicing to include any and all sub-consultants if utilized.

SUBMISSION

Proposals will only be accepted from firms or individuals having requested an RFQ package. RFQ Packages are available by written request from the Panhandle Regional Planning Commission, contact information below. Faxed or e-mailed requests will be accepted; however, the requesting entity must verify receipt. All inquiries and requests must be directed to the attention of: Dustin Meyer, Local Government Services Director.

The deadline for responses to this request is **5:00 PM, Monday, February 18, 2021**.

The statement of qualifications should be no more than 30 pages in length, including cover letter and resumes of project team members.

One (1) electronic copy in PDF format and seven (7) hardcopies, which shall include six (6) bound copies and one (1) unbound copy by U.S. mail or FedEx/UPS of each submittal shall be delivered to Dustin Meyer, administrative agent of the RFPG, at the following address:

Dustin Meyer
Panhandle Regional Planning Commission
PO Box 9257
Amarillo, TX 79105
415 SW 8th Ave.
Amarillo, TX 79101
dmeyer@theprpc.org
(806) 372-3381

Region 1 Canadian-Upper Red

PO Box 9257
Amarillo, Texas 79105

Regional Flood Planning Group

P: (806) 372-3381
F: (806) 373-3268

Memorandum

To: Region 1 Canadian-Upper Red Regional Flood Planning Group Meeting
From: Dustin Meyer, Local Government Services Director
Date: January 14, 2021
Re: Agenda Item #16

Discuss and Action as Appropriate –

Requirement for Flood Planning Members to obtain Public Information Act and Open Meetings Certification to fulfill Texas Government Code 551.005

- a. Discussion for members to fulfill the requirements of Texas Government Code 551.005
- b. Discussion and consideration of a nomination for a Public Information Act Coordinator

Attachment: Government Code Chapter 552.012 Open Records Training; Administrative Guidance for Regional Flood Planning Group Sponsors

GOVERNMENT CODE

TITLE 5. OPEN GOVERNMENT; ETHICS

SUBTITLE A. OPEN GOVERNMENT

CHAPTER 552. PUBLIC INFORMATION

Sec. 552.012. OPEN RECORDS TRAINING. (a) This section applies to an elected or appointed public official who is:

- (1) a member of a multimember governmental body;
- (2) the governing officer of a governmental body that is headed by a single officer rather than by a multimember governing body; or

(3) the officer for public information of a governmental body, without regard to whether the officer is elected or appointed to a specific term.

(b) Each public official shall complete a course of training of not less than one and not more than two hours regarding the responsibilities of the governmental body with which the official serves and its officers and employees under this chapter not later than the 90th day after the date the public official:

(1) takes the oath of office, if the person is required to take an oath of office to assume the person's duties as a public official; or

(2) otherwise assumes the person's duties as a public official, if the person is not required to take an oath of office to assume the person's duties.

(c) A public official may designate a public information coordinator to satisfy the training requirements of this section for the public official if the public information coordinator is primarily responsible for administering the responsibilities of the public official or governmental body under this chapter. Designation of a public information coordinator under this subsection does not relieve a public official from the duty to comply with any other requirement of this chapter that applies to the public official. The designated public information coordinator shall complete the training course regarding the responsibilities of the governmental body with which the coordinator serves and of its officers and employees under this chapter not later than the 90th day after the date the coordinator assumes the person's duties as coordinator.

(d) The attorney general shall ensure that the training is made available. The office of the attorney general may provide the training and may also approve any acceptable course of training offered by a governmental body or other entity. The attorney general shall ensure that at least one course of training approved or provided by the attorney general is available on videotape or a functionally

similar and widely available medium at no cost. The training must include instruction in:

- (1) the general background of the legal requirements for open records and public information;
- (2) the applicability of this chapter to governmental bodies;
- (3) procedures and requirements regarding complying with a request for information under this chapter;
- (4) the role of the attorney general under this chapter; and
- (5) penalties and other consequences for failure to comply with this chapter.

(e) The office of the attorney general or other entity providing the training shall provide a certificate of course completion to persons who complete the training required by this section. A governmental body shall maintain and make available for public inspection the record of its public officials' or, if applicable, the public information coordinator's completion of the training.

(f) Completing the required training as a public official of the governmental body satisfies the requirements of this section with regard to the public official's service on a committee or subcommittee of the governmental body and the public official's ex officio service on any other governmental body.

(g) The training required by this section may be used to satisfy any corresponding training requirements concerning this chapter or open records required by law for a public official or public information coordinator. The attorney general shall attempt to coordinate the training required by this section with training required by other law to the extent practicable.

(h) A certificate of course completion is admissible as evidence in a criminal prosecution under this chapter. However, evidence that a defendant completed a course of training offered under this section is not prima facie evidence that the defendant knowingly violated this chapter.

Added by Acts 2005, 79th Leg., Ch. 105 (S.B. [286](#)), Sec. 2, eff. January 1, 2006.

4 Open Meetings Act and Public Information Act

Pursuant to Texas Water Code § 16.062(l), all RFPG, committees, and subcommittees are subject to the Texas Government Code (Government Code) §§ 551 and 552 (Texas Open Meetings Act and the Public Information Act). This is of particular importance with regard to interactions between RFPG members outside of their publicly posted meetings.

The TWDB does not provide legal advice to the RFPGs. Therefore, RFPG members may wish to consult with attorneys from their organizations or their planning group sponsor for guidance. Members may also find the following helpful resources:

- Texas Open Meetings Act: <http://www.statutes.legis.state.tx.us/SOTWDocs/GV/htm/GV.551.htm>
- Open Meetings Act Handbook: https://www.texasattorneygeneral.gov/sites/default/files/files/divisions/open-government/openmeetings_hb.pdf
- Texas Public Information Act: <http://www.statutes.legis.state.tx.us/SOTWDocs/GV/htm/GV.552.htm>
- Public Information Act Handbook: https://www.texasattorneygeneral.gov/sites/default/files/files/divisions/open-government/publicinfo_hb.pdf

4.1 Training requirements

RFPG members, including voting and non-voting members, should complete the following trainings within 90 days from the date of their membership and preferably before their first planning group meetings.

- Open Meetings Act training required by Texas Government Code §551.005
- Public Information Act training required by Government Code §552.012.

Individuals may comply with the requirements by watching training videos on the AG’s website and printing completion certificates: [Public Information Act and Open Meetings Act Training Resources](#). RFPGs may choose if and how to maintain and make available for public inspection the record of its members’ completion of training.

The Open Meetings Act and Public Information Act both state that completing the training in one capacity satisfies the requirement in all capacities, so RFPG members who have completed these trainings as part of their outside employment would not need to complete them again as RFPG members.

Additionally, for the Public Information Act training, the members of a governmental body may appoint a “public information coordinator” to attend training in their place so long as the designee is the person primarily responsible for the processing of open records requests for the governmental body.

4.2 Meeting minutes and committee quorums

Pursuant to Government Code §551.021 and § 551.022, minutes of meetings or recordings must be taken of each meeting and those minutes or recordings are considered public records that must be made available for public inspection. The Open Meetings Act does not require minutes or recordings of closed (executive) sessions, but rather requires a certified agenda of those meetings.

Additionally, Texas Water Code §16.062(l) (as added by SB 8) states that each RFPG and any committee or subcommittee of a RFPG are subject to the Open Meetings Act. Therefore, quorums should be

themselves or third parties; the governmental body may be subject to the Open Meetings Act when it merely listens to a third party speak at a gathering the governmental body conducts or for which the governmental body is responsible. An email discussion could be a meeting subject to the Open Meetings Act if a quorum of the RFPG (or committee/subcommittee) were in the to, cc, or bcc fields. Please see Section VI of the AG's Open Meetings Act Handbook and the cases and AG Opinions cited in that section for more information in this issue. Section VI(E) provides important information on "walking quorums," which are serial meetings of less than a quorum.

- Note: Attorney General (AG) Opinion GA-0896 specifically discusses questions regarding email exchanges.

D. What are record-keeping expectations for RFPGs as they are subject to the Public Information Act?

- The RFPGs should consult with the attorneys for their sponsor political subdivision to determine what laws or rules governing the preservation of records would apply to the RFPG. Please see Section X of the AG's Public Information Act Handbook and the cases and AG Opinions cited in that section for more information on this issue.

E. Can staff from the RFPG's designated Planning Group Sponsor be appointed as the Public Information Act public information coordinator?

- The Public Information Act states that "A public official may designate a public information coordinator to satisfy the training requirements of this section for the public official if the public information coordinator is primarily responsible for administering the responsibilities of the public official or governmental body under this chapter..." (Government Code §552.012). It is the discretion of the RFPG who they choose to be the designated coordinator, if one is designated.

F. Can older training certificates be accepted for maintaining the record of members' completion of training?

- The Open Meetings Act and Public Information Act both state that completing the training in one capacity satisfies the requirement in all capacities, so RFPG members who have completed these trainings as part of their outside employment with political subdivisions would not need to complete them again as RFPG members. The Acts simply require public officials to complete the training within 90 days of taking office/assuming responsibilities as a member of the governmental body; it does not specify repeat training requirements.

G. Would a notarized statement affirming training completion be acceptable if a member has taken the training but cannot locate the completion certificate?

- It will be up to the RFPGs to prove compliance with the Act if they're questioned on it. It is up to the RFPG to prove compliance however they see fit.

H. Are "workgroups" formed by the RFPG subject to the Open Meetings Act?

- The AG's Open Meetings Act Handbook states that when a governmental body appoints a committee that includes less than a quorum of the parent body and grants it authority to supervise or control public business or public policy, the committee may itself be a governmental body subject to the Act (see Section V(D) and (E) of the AG's Open Meetings Act Handbook). It further states that the fact that a committee is called an advisory

Region 1 Canadian-Upper Red

PO Box 9257
Amarillo, Texas 79105

Regional Flood Planning Group

P: (806) 372-3381
F: (806) 373-3268

Memorandum

To: Region 1 Canadian-Upper Red Regional Flood Planning Group Meeting
From: Dustin Meyer, Local Government Services Director
Date: January 14, 2021
Re: Agenda Item #17

Consider date and agenda items for next meeting.

This agenda item is to allow the Region-1 RFPG to discuss the appropriate timing of the next Board meeting as well as future agenda items to include. Further, the group can discuss the appropriate location to hold the next meeting and future meetings under this agenda item.

Attachment: Working Conceptual Schedule

