

Interregional Planning Council Meeting Minutes

June 29, 2020, 1:00 p.m. to 3:00 p.m.

held via Zoom Videoconference

Council decisions bolded and italicized in document

Participation: Number of Interregional Planning Council Members present **12 of 16**:

A	Steve Walthour	E	Scott Reinert- absent	I	Kelley Holcomb	M	Tomas Rodriguez
B	Russell Schreiber	F	Allison Strube	J	Ray Buck - absent	N	Carl Crull
C	Kevin Ward - absent	G	Gail Peek	K	David Wheelock - absent	O	Melanie Barnes
D	Jim Thompson	H	Mark Evans	L	Suzanne Scott	P	Patrick Brzozowski

Facilitator: Suzanne Schwartz

Senators/Representatives/Other VIPs in Attendance: Shannon Houston of HNRC, Katherine Thigpen of SWRA

TWDB Board Members and Staff: Matt Nelson, Temple McKinnon, Sarah Backhouse, Ron Ellis, Elizabeth McCoy, William Alfaro, Kevin Smith, Jean Devlin, Bryan McMath

MEETING GENERAL

Chair Suzanne Scott (Region L) called the meeting to order. Temple McKinnon (TWDB) called roll and determined that a quorum was present. Ms. Scott reviewed the agenda and proposed the Council revise the order of the agenda to consider agenda item 4 before agenda item 3. No objection was noted on the proposed change.

AGENDA ITEMS

1. Public Comment – No public comments were offered.

2. Consideration of Meeting Minutes from June 22, 2020 Meeting

The Council considered the minutes of the June 22, 2020 meeting and reviewed minor edits proposed by Gail Peek (Region G) and Jim Thompson (Region D). Mr. Thompson made a motion to approve the minutes as amended. Ms. Peek seconded the motion. The minutes were unanimously approved.

4. Discussion of Next Steps

Agenda item 3 was tabled until later in the meeting. Ms. Scott reminded members that at the last meeting, it was agreed the Council would form committees for each of the following discussion topics: Enhancing Interregional Coordination, Planning Water Resources for the State as a Whole, General Best Practices for Future Planning, and Dealing with Interregional Conflict. Ms. Scott asked the Council to consider a different approach. She proposed the Council consider creating only three committees, one

for each of the Council's charges outlined in House Bill 807: Enhancing Interregional Coordination, Planning Water Resources for the State as a Whole, and General Best Practices for Future Planning. Ms. Scott recommended that the topic of dealing with interregional conflict, which Representative Larson requested the Council consider, be discussed by the Council as a whole and not by committee.

It was suggested that facilitator Suzanne Schwartz would work with Mr. Thompson and Kevin Ward (Region C) to identify issues with the interregional conflict process based on their experiences with the process. The full Council will then discuss and make recommendations on how to deal with and avoid interregional conflict. She also thought that each committee's work might identify issues that could be informative to the issue of conflict. Kelly Holcomb (Region I) agreed with Ms. Scott's proposal and noted that a lot of thought had been put into the proposed process.

Ms. Scott opened the floor for discussion of the proposal and emphasized that dealing with interregional conflict will still be considered by the Council and discussed in the Council report. Ms. Schwartz added that Mr. Ward had indicated that he was fine with the proposed process. Mr. Thompson confirmed he was also fine with the process.

Ms. Scott then presented committee assignments. Committee assignments considered member preferences and geographic distribution of regions. Slight adjustments were made to balance assignments and potential Chairs were contacted for interest in serving and have agreed.

The following committee assignments were made:

- Enhancing Interregional Coordination – Gail Peek (Region G) as Committee Chair, Jim Thompson (Region D), Scott Reinert (Region E), Ray Buck (Region J), and Patrick Brzozowski (Region P)
- Planning Water Resources for the State as a Whole – Mark Evans (Region H) as Committee Chair, Kevin Ward (Region C), David Wheelock (Region K), Carl Crull (Region N) and Melanie Barnes (Region O)
- General Best Practices for Future Planning – Steve Walthour (Region A) as Committee Chair, Russel Schreiber (Region B), Allison Strube (Region F), Kelley Holcomb (Region I), and Thomas Rodriguez (Region M)

No concerns on assignments were noted. Ms. Scott then reviewed the committee charges and a proposed meeting schedule. The document was structured around the legislative charges and with consideration of the work conducted and documented to date and the limited time that committees have to conduct their work. Committees are charged with the following:

- Understand and analyze the problem more in depth
- Provide context to the solutions provided (don't talk in generalities, use specifics regarding the problem trying to be solved)
- Use the Council's brainstorming of solutions and criteria to generate additional solutions, and develop recommendations for the Council to consider for inclusion into the final report
- Draft and implement an action plan to accomplish its work
- Draft report language following a standard format to be provided
- Coordinate with the Council Chair and Vice-Chair and assigned TWDB staff
- Consult with TWDB for information on the water planning process and the viability of recommendations – use them as a resource about proposed potential changes to the process

Approved 7/29/20

Ms. Scott requested that committee recommendations be aligned with specific charges from the legislature and additional guidance provided by Representative Larson, be specific and actionable, delineate if it is directed for consideration to a specific body including the TWDB, Legislature, Regional Water Planning Groups (RWPG), Future Interregional Planning Councils, or others, and describe the benefit resulting from the recommendation.

Ms. Scott asked for feedback on the committee charges. Mr. Evans agreed that the charges seem reasonable. Ms. Peek agreed.

Ms. Scott asked that Committee Chairs coordinate the committee process and make a schedule to get work done by September 30, 2020. The Council plans to act on a final report at the September 30, 2020 meeting in order to have a final report submitted by the October 16, 2020 deadline.

Chairs will need to work with TWDB and the Council Chair and Vice-Chair to schedule meetings and post agendas in compliance with the Texas Open Meetings Act, which requires posting of agendas eight days prior to meeting for statewide bodies. Ms. Scott asked Committee Chairs to work with the majority of committee members to schedule meetings. All committees must avoid walking quorums. Chairs are responsible for compiling concise reports of meetings, identifying any action needed by the full Council, and facilitating discussion at Council meetings.

Committee recommendations must be considered by the full Council to be included in the Council report. Committee sections of the Council report must be compiled within the defined format for the report. TWDB will provide writing and editing support.

Ms. Peek reminded members that emails are also subject to the Open Meetings Act. Mr. Schreiber asked what constitutes a quorum for the committees? Temple McKinnon (TWDB) noted that quorum for committees should be the same as for the Council, a simple majority. It was asked if committees are required to have a quorum to meet. Matt Nelson (TWDB) noted that a committee could meet without quorum but could not make any decisions. Ms. McKinnon said she would confirm this information with TWDB General Council and send out standard Open Meetings Act guidelines to Committee Chairs.

Mr. Walthour ask if the Council will take a vote on its report once compiled? Ms. Scott confirmed there will be a vote on the final report. Members then discussed dates for Council meetings. Ms. McKinnon noted that previous polling for availability was limited by facilitator availability so there may be additional dates available for committees to schedule meetings if needed. TWDB will help committees with scheduling logistics. Mr. Holcomb asked when TWDB staff will be assigned to committees. Ms. McKinnon said assignments will be made following this June 29th meeting.

Mr. Holcomb noted the purpose of today's meeting was to assign committees and then send committees off to complete their work. Committees will bring back recommendations to Council meetings. The Council will act along the way on committee recommendations before the final report is considered. Ms. Scott added that members were assigned to one committee in order to devote their full attention to a topic, but members can still provide input when recommendations are considered by the full Council. Mr. Evans asked if each committee will have a TWDB staff person assigned for support. Ms. Scott confirmed each committee will have TWDB assigned staff to help put together agendas and provide administrative support. Facilitator Suzanne Schwartz will not be facilitating committee meetings but can help support committee chairs as needed.

Mr. Walthour asked for clarification on concerns for walking quorums when none of the committees represent a quorum of the Council and committees will not be making decisions but rather making recommendations to Council. Ms. Scott noted that RWPG committees are subject to Open Meetings Act and that should apply to the Council committees. Mr. Walthour asked if there was a deadline for committees to prepare items for Council review. Ms. Scott noted meeting agendas must be posted 8 days prior to the Council meeting. However, the Council has received guidance on general agenda items to cover considering recommendations from committees. Mr. Walthour asked how many days in advance of a Council meeting should documents be made available for members to review. Mr. Evans suggested September 15, 2020 as the date committees should have a final draft available for the Council to review. Ms. Peek noted a goal to have all council documents prepared by early September. Ms. Scott added the timeline may develop as committees begin their work and determine how many recommendations are needed. Mr. Holcomb noted there is no limit on the number of recommendations, but the number of recommendations should be reasonable to allow time for discussion and inclusion in the report.

Ms. Scott summarized that Ms. McKinnon will be sending out a packet with committee charges, high level council and committee schedule, committee member contact information, TWDB support staff members, and guidance on the Open Meetings Act. She asked if there was anything else members would like to be provided. No additional items were noted.

Ms. Scott requested Ms. McKinnon add discussion items from the June 29, 2020 meeting into the Deliberations by Discussion Topic document so committees will have complete information to consider prior to the July 29, 2020 Council meeting.

3. Consideration of Planning Water Resources for the State as a Whole, Ways to Enhance Interregional Coordination, Dealing with Interregional Conflict, and General Best Practices for Future Planning

Ms. Scott introduced the agenda item and suggested the Council finalize problem and goal statements on the topic of General Best Practices for Future Planning. Ms. Schwartz introduced problems noted in brainstorming ideas from previous meetings and emails. This included:

- a. Chairs' calls are scheduled to share information but cover so much that don't have opportunity to brainstorm.
- b. Prior work sessions held by TWDB are no longer held or formally documented.

Ms. Schwartz asked if there were any other problems on this topic? Mr. Walthour noted that the simplified planning process has too many hurdles and does not offer cost savings. Region A receives funding from participating entities in addition to TWDB funds to develop the regional water plan. Simplified planning does not provide a cost savings to those entities. He proposed that reducing requirements to re-run models when there is no substantial change in data could provide cost savings. Jim Thompson added that in Region D it seems a lot of the same material is repeated in the 5-year plans. He suggested it may be beneficial to have a 5-year report and 10-year report that provide different levels of detail and analysis.

Ms. Peek shared that in Region G, members and consultants have become comfortable with each other and the planning process and have difficulty assessing their approach in a critical way. Region G is trying to balance between collective history and new ideas. Region G has been working on improving public involvement by once every cycle holding meetings in the lower, middle, and upper basins to seek input from entities across the region.

Mr. Nelson noted that Ms. Peek's point on how to improve the process is something TWDB considers often. He added that each regional water plan is required to be a standalone document. He suggested there may be best practices to consider under current rules. On the topic of how to get members reengaged in the process, he asked for ideas, such as additional training, that could help refresh people's thinking on things. He added that some parts of the planning process have to be repeated, and how you make change within certain parameters is not an easy task.

Ms. Scott asked if regions have considered using term limits as a way to improve member engagement. Mr. Thompson noted that Region D bylaws include term limits that permit members to serve two consecutive 3-year terms. An individual can serve again after rotating off the RWPG for three years. This has given more people the opportunity to participate as members of the planning group. Ms. Peek added that Region G previously had a 10-year term limit in place. Region G eliminated term limit requirements when groundwater management area representatives were added to RWPG membership with no term limits. Mr. Walthour noted that Region A has had problems filling voting member vacancies in areas of low population, which is why the region does not have term limits. Ms. Barnes added that Region O members have tried to bring in new people to fill vacancies.

Ms. Barnes noted there was increased engagement in Region O when the region got involved in looking into new water sources and how to save water. She proposed that additional funds saved from pursuit of simplified planning could be used to fund special studies. Chair Scott added this could also support research for innovative technologies. Ms. Barnes then suggested that as the planning group develops policy recommendations for Chapter 8 at the end of each cycle, often ideas are put forward that the group would like to follow up on in the next cycle. It is difficult to fit addressing these items into the start of the next planning cycle. She noted this could just be an issue for the planning group but also a possible improvement needed in the planning process. Space should be made for planning recommendations to be considered and acted upon.

Mr. Crull shared that funding amounts and requirements that funds be used to evaluate projects that address needs is a limitation on looking at the big picture of providing water in the region. Region N has had to rely on project sponsors to provide project evaluation information to include in the plan. The planning group does not have the financial ability to adequately review these projects.

Mr. Holcomb brought up the special studies that were funded in the third planning cycle and suggested it may be time to do additional studies. He added that at the end of each planning cycle a lot of effort is put into developing the scope of the next planning cycle. He asked if there would be value in the Council participating in discussions on scope and allocation of funds.

Ms. Scott suggested it could be beneficial for the Council to review all of the recommendations in Chapter 8 of regional water plans. The Council could then put forward recommendations or assist in prioritizing recommendations presented in Chapter 8. Ms. McKinnon informed the Council that TWDB is compiling Chapter 8 from the initially prepared plans to support the Council's work. This will be available next month. Mr. Nelson added that TWDB reviews Chapter 8 in each region's plan and looks for recurring themes and recommendations to forward as recommendations to the legislature in the state water plan. Ms. Scott proposed as a best practice that the Council could be a sounding board for prioritization of Chapter 8 policy recommendations.

Ms. Schwartz proposed the following draft problem statement for the Council to consider based on its discussion: Formal requirements may stymie the use of best practices, formalized sharing of information with other RWPGs gets lost because of the large amount of material peers must discuss on calls, and familiarity by consultants and long-serving RWPG members may prevent critical review of process improvements. Funding may be inadequate to devote time and effort for reviewing best practices. There is no formalized process by which to share best practices.

Mr. Evans noted that long serving RWPG members are often best suited to offer critical review and recommendations on improvements. Mr. Walthour stated that long-serving members in Region A are engaged and familiarity in subject matter is a good thing in his experience, so proposed statement not applicable in all regions. Ms. Barnes questioned if the issue is to expand the numbers of participants involved. Ms. Peek suggested a revision of what is needed is to encourage consultants and participants to critically review process improvements.

Mr. Holcomb questioned how the process does not encourage or allow participants to review the process. He noted that Region I has issues with engagement although he frequently asks for people to get engaged. Mr. Holcomb suggested that large complex processes, such as the regional water planning process, tend to have issues with engagement, and it shouldn't be put on consultants and volunteer planning group members to solve.

Ms. Peek noted that Region G has had some natural turn over in membership. She added that when the region explored using a new consultant, the consultant that had worked for the region for many years reinvented themselves and broke out of business of usual. Ms. Barnes and Mr. Holcomb suggested that shows the process is working. Ms. Peek asked more broadly how do we encourage new ideas in planning?

Ms. Scott noted that the legislative charge indicated sharing practices across regions instead of within regions and that problem statement should reflect that the Council's charge is to make sure best practices are being shared between regions. Ms. Barnes added that the problem statement should also allow for regions to be able to identify best practices as well.

The problem statement was revised to: Formal requirements may stymie the use of best practices, formalized sharing of information with other RWPGs gets lost because of the large amount of material peers must discuss on calls. Funding may be inadequate to devote time and effort for reviewing best practices. There is no formalized process by which to share best practices.

Mr. Evans suggested in regard to language on "no formalized process" that individual RWPG members may not be aware of what the chairs are doing on the regular chair's conference calls. He reminded members that the Uniform Standards Stakeholder Committee also provides a process for RWPGs to share best practices.

Ms. Scott noted that the chair's conference calls often focus on what is occurring in the planning process, not best practices. She suggested the work session on best practices that produced the best practices matrix was productive. It was productive to have a meeting outside of the usual planning process framework. Mr. Walthour asked if the matrix was available for members to review. Ms. McKinnon noted the document is posted on the Council webpage.

Approved 7/29/20

Ms. Schwartz asked if there were any additional changes to the problem statement. Ms. McKinnon asked if the last sentence addressed Ms. Scott's concerns about timing. Ms. Scott clarified that the issue is the timing of when the discussion of best practices occurs in the process.

The problem statement was revised to: ***Formal requirements may stymie the use of best practices. Formalized sharing of information between RWPGs is not facilitated timely by TWDB, including group processing of Chapter 8 recommendations. Funding may be inadequate to devote time and effort for reviewing best practices.***

Ms. Peek made a motion to adopt the problem statement. Mr. Brzozowski seconded the motion. **The Council unanimously approved the problem statement.**

Ms. Schwartz presented a draft goal statement: The regions themselves critically review processes for improvement and time and funding is allotted, and priority given, to sharing and solving problems and best practices among and between regions. There is a mechanism that best practices are shared with RWPGs.

Mr. Holcomb asked if the intent is for RWPGs to do this work on their own outside of the Council purview without the TWDB's oversight through the liaison process? Ms. Scott offered it is important to formalize the review process to occur at a time that is productive and include the appropriate persons or representatives.

Mr. Evans noted the first sentence does not clearly state for what funding is being requested. He offered the Council should be clear in what they are asking for since this will be included in the Council's report.

Mr. Thompson offered a revision for the first sentence. The goal statement was revised to: The regions review processes for improvement in sharing and solving best practices among and between regions. A formalized process occurs early in the planning process so that best practices are shared between RWPGs.

Ms. Scott and Mr. Evans agreed that the process must occur earlier in the planning process. Mr. Holcomb asked if the statement should be current or future tense. Ms. Schwartz suggested the tense could be what the group preferred.

The statement was revised for tense to: ***The regions will review processes for improvement in sharing and solving best practices among and between regions. A formalized process will occur early in the planning process so that best practices are shared between RWPGs.***

Ms. Barnes asked if the committees have the ability to revise the problem and goal statements. Ms. Scott noted the problem and goal statements are to guide committees' work. Committees may revise the statements but not change the meaning. Committee recommendations should address the approved goals. If a committee feels a goal needs to be revised, the committee may bring proposed changes back to the full Council for consideration but needs to be early in the process (e.g. July or so).

Ms. Barnes moved to adopt the goal statement. Mr. Thompson seconded the motion. **The Council unanimously approved the goal statement.**

4. Discussion of Agenda for Future Meetings

Approved 7/29/20

The next Council meeting is scheduled for 1:30 p.m. on July 29, 2020. Ms. McKinnon will send out information to help committees begin scheduling meetings.

Mr. Holcomb asked if TWDB will appoint a new Interregional Planning Council every planning cycle. He asked if this was considered an ongoing process or if there is a definite beginning and end point. Ms. McKinnon noted the current Council will dissolve upon the adoption of 2022 State Water Plan. TWDB will then request nominations from RWPGs and appoint a new Council. Mr. Holcomb asked if the Stakeholder Committee is also still active. Mr. Nelson responded that the Uniform Standards Stakeholder Committee is continuous, and its membership consists of the RWPG chairs.

Mr. Holcomb noted there is fragmentation in the many bodies in the regional water planning process and asked if there is there value in consolidating the Interregional Planning Council and Uniform Standards Stakeholder Committee processes. Ms. Scott suggested the General Best Practices for Future Planning Committee should consider consolidation of committees.

Mr. Evans asked if full Council meetings are expected to be 2 hours. Ms. Scott hoped so, but additional time may be needed to consider committee recommendations. She will work with the committee chairs to see if work can be spread evenly between meetings.

5. Public Comment – No public comments were offered.

6. Adjourn – Mr. Evans motioned adjournment. Kelley Holcomb seconded the motion. The meeting adjourned at approximately 3:00 p.m.