



# Bylaws

## East Texas Regional Water Planning Group

### Regional Water Planning Area "I"

**Adopted May 18, 1998**

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## **ARTICLE I - NAMES**

### **Section 1 Organization**

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

### **Section 2 Regional Water Planning Area**

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

## **ARTICLE II - ESTABLISHMENT AND PURPOSE**

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

## **ARTICLE III - PRINCIPAL ADMINISTRATIVE OFFICE**

The principal administrative office of the ETRWPG shall be the principal business offices of the City of Nacogdoches. The administrative officer of the ETRWPG for purposes of the Texas Open Records Act shall be the City Manager of the City of Nacogdoches. The Chair of the ETRWPG shall insure that the mailing address and physical address of the principal office and administrative officer are provided to all members of the ETRWPG and the Executive Administrator of the TWDB.

## **ARTICLE IV - RESPONSIBILITIES**

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

## **ARTICLE V - VOTING MEMBERSHIP**

### **Section 1 Composition**

The voting members of the ETRWPG shall represent the interests comprising the ETRWPA stated in Texas Water Code 16.053(c), if present, and other interests determined by the ETRWPG. The ETRWPG shall include persons added or removed as provided under this Article and any 31 TAC 357.4(g)(4) member selected for voting membership under Article VI.

### **Section 2 Conditions of Membership**

In order to be eligible for voting membership on the ETRWPG, a person must represent the interest for which a member is sought, be willing to participate in the regional water planning process, be a resident of the East Texas Regional Water Planning Area for six months prior to becoming a voting member, and abide by these bylaws.

### **Section 3 Selection of Members**

East Texas Regional Water Planning Group voting membership shall, at all times, be represented by at least one member from each of the eleven "interest groups" identified by the enabling legislation.

When filling a vacancy on the ETRWPG, the Nominating Committee shall cause, by direct mail, the notification of the County Judge of each county located in whole or in part in the ETRWPA and/or post public notice in a newspaper of general circulation in the ETRWPA soliciting nominations for a successor. Notification shall include the particular interest group for which nominations are sought and the conditions of membership and shall also establish a deadline for the submission of nominations. Members of the ETRWPG may also submit nominations in the manner prescribed in the public notice.

The Nominating Committee shall receive and process the nominations and shall recommend a nominee to the voting membership of the ETRWPG at its next regular meeting. The Nominating 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 Nominating Committee and may consider any person who meets the conditions of membership as a nominee.

An affirmative vote of two-thirds of the voting membership (voting membership being defined as one-hundred percent of the eligible voting members, less any vacant memberships) of the ETRWPG shall be required to appoint a nominee as a new voting member. If voting fails to select a new voting member, the voting members shall consider other nominations until a new member can be selected by affirmative votes of two-thirds of the voting membership.

To select new voting members to fill vacancies caused by death or removal by death or removal by resignation (as defined in Section 7 of this Article), the voting members may select new members to fill the unexpired term by an affirmative vote of two thirds of the voting membership (as hereinabove defined). The members selected by this process shall, whenever possible, be selected from the interest/entity affected by the vacancy. In this event, the ninety and forty-five day posting requirements shall not apply.

The voting members may add members to ensure adequate representation of the interests comprising the ETRWPA by generally utilizing the selection process set forth in this section.

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

Outgoing voting members shall be given the opportunity to fully participate in the selection process for their successors and shall serve until their successors take office. No voting member shall be permitted to vote in the event he or she is a proposed nominee for election as a voting member.

#### **Section 4 Attendance**

All members shall make a good faith effort to attend all ETRWPG meetings and hearings. Records of attendance shall be kept by the Secretary at all ETRWPG meetings and hearings and presented as part of the minutes. Voting members of the ETRWPG that have recorded absences from three consecutive meetings and/or hearings, or at least one-half of the sum of all meetings and hearings in the preceding twelve months, shall be considered to have engaged in excessive absenteeism and shall be subject to removal from membership under Section 7 of this Article.

The Chair shall excuse an absence if it is made known to the Chair prior to the beginning of the meeting or hearing that the absence is related to one of the following with supporting documentation made available to the Chair: personal illness, family emergency, or jury or military duty. An excused absence will not be recorded as an absence. Representation by a designated alternate or proxy does not excuse a

member's absence. The members, by majority vote, may excuse a member's absence for good cause.

## **Section 5 Code of Conduct**

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

1. No member or designated alternate of the ETRWPG shall:
  - a. Solicit or accept gratuities, favors, or anything of monetary value from suppliers, contractors, or sub-contractors who provide services, materials, or equipment, to ETRWPG; or
  - b. 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.
  - c. Participate in any deliberation, decision, or vote that would constitute a conflict of interest under state law.
2. 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 6 Removal of Voting Members**

### Grounds for Removal of Voting Members

The following shall constitute grounds for removal of a voting member:

1. engaging in excessive absenteeism as defined under Section 5 of this Article;
2. death;
3. resignation;

4. failure to abide by the code of conduct provisions set forth under Section 6 of this Article;
5. appointment of a successor by the voting members upon expiration of the member's term;
6. the member no longer represents the interest he or she was selected to represent;
7. falsifying documents;
8. any other violation of these bylaws as may be determined by the voting members;  
or
9. the voting member's designated alternate or proxy engages in any acts described in subdivisions (4), (7), or (8) of this subsection.

#### Process for Removing Voting Members

Voting members may be removed at any time for any of the grounds for removal of voting members set forth in subsection (a) of this section. Any member with knowledge or suspicion that a voting member or designated alternate has engaged in acts or that events have occurred constituting a ground for removal under subsection (a) of this section shall report such information or suspicion to the Chair.

The Chair, upon discovering or receiving such information, shall make a written request to that member for an explanation as to why he or she should not be removed from voting membership. The member shall make written response to the Chair within fifteen calendar days from the date of receipt of the Chair'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 continues to suspect that a ground for removal may exist, if the member fails to make a timely response to the Chair's request, or if a voting member requests its inclusion on the agenda after reviewing the written response from the accused member, the Chair shall place an item on the next subsequent meeting agenda calling for the removal of the member. At the meeting, the member subject to the possible removal action may present evidence of why he or she should not be removed. The voting members may remove the member by not less than affirmative vote of two-thirds of the voting membership. The member subject to the removal action shall not participate in any way in the removal decision, nor shall his or her membership count as a part of the eligible voting membership for purposes of calculating a two-thirds vote.

## **ARTICLE VI - NON-VOTING MEMBERSHIP**

### **Section 1 Mandatory Members**

1. The voting members of the ETRWPG shall add the non-voting members set forth in 31 TAC 357.4(g)(1)-(g)(3) and accept the designees appointed by the entities set forth therein. Such designees shall have no terms of office and shall serve until replaced by the designating entity. However, if the voting members decide by not less than affirmative votes of two-thirds of the voting membership, that a particular designee is hindering the regional water planning efforts of the ETRWPG, the Chair shall make a written request within ten calendar days to the designating entity requesting the designation of another person to serve as the entity's designee.
2. The voting members of the ETRWPG shall add at least one non-voting member as set forth in 31 TAC 357.4(g)(4). Within thirty calendar days of adoption of these bylaws, or within forty-five calendar days of the removal of a 31 TAC 357.4(g)(4) member, the ETRWPG shall post public notice in a newspaper of general circulation in each county located in whole or in part in the ETRWPA, soliciting nominations for persons to serve as a 31 TAC 357.4(g)(4) member, stating the conditions of membership, delineating the method for submitting nominations, and establishing a deadline for submission of nominations of no later than twenty-one calendar days from the date notice was posted. Members of the ETRWPG may also submit nominations in the manner prescribed in the public notice. The Executive Committee shall receive and process the nominations and, after the deadline for submitting nominations, shall recommend a nominee to the voting membership as a whole.

The Executive Committee shall not be bound by the nominations received and may consider any person who meets the conditions of membership as a nominee. The voting membership as a whole shall not be bound by the recommendation of the Executive Committee and may consider any person who meets the conditions of membership as a nominee. The voting members shall make a decision for a new member or successor by affirmative vote of at least two-thirds of the voting membership. If efforts fail, the Chair shall call for a vote on a nominee. An affirmative vote of two-thirds of the total voting membership of the ETRWPG shall be required to appoint a nominee as a non-voting 31 TAC 357.4(g)(4) member.

If voting fails to select a member, the voting members shall consider other nominations until a 31 TAC 357.4(g)(4) member can be selected by affirmative vote of two-thirds of the voting membership. Once selected, a 31 TAC 357.4(g)(4) non-voting member shall have no term of office and shall serve until removed by an affirmative vote of two-thirds of the voting membership.

3. The voting members may at any time, including the time of initial selection of a 31 TAC 357.4(g)(4) member, convert the membership of a 31 TAC 357.4(g)(4) non-voting member into a voting membership by a two-thirds vote of the voting membership. If selected to be a voting member, a 31 TAC 357.4(g)(4) member shall have the rights, duties, terms, conditions, and other privileges and obligations of regular voting members. The voting members, excluding the 31 TAC 357.4(g)(4) member subject to the possible membership conversion, shall determine the exact applicability of the membership term provisions and restrictions to the 31 TAC 357.4(g)(4) member at the time of such conversion by affirmative vote of two-thirds of the voting membership. A newly added voting member shall be added to the Class of voting members with the least number of members or if the Classes are equal then they will be added to the Class with the longest remaining current term.
4. The voting members, excluding the 31 TAC 357.4(g)(4) member subject to the possible membership conversion, may at any time convert the membership of a 31 TAC 357.4(g)(4) voting member into a non-voting membership by affirmative vote of two-thirds of the voting membership, not including the voting membership of the 31 TAC 357.4(g)(4) member subject to the possible membership conversion.

## **Section 2 Discretionary Members**

The voting members of the ETRWPG may add or remove as a non-voting member an entity set forth in 31 TAC 357.4(h) by two-thirds vote of the voting membership. If an entity is added, the Nominating Committee shall evaluate the need for adding additional Non-Voting Membership and shall report their recommendation to the ETRWPG as a whole. If an entity is added, the Chair shall make a written request within ten calendar days to the entity requesting the designation of a person to serve as the entity's designee. Such designees shall have no terms of office and shall serve until replaced by the designating entity or until the entity is removed as a non-voting member.

However, if the voting members determine by a two-thirds vote of the voting membership that a particular designee is hindering the regional water planning efforts of the ETRWPG 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. The ETRWPG, for the purpose of insuring region-wide representation, shall recognize as a non-voting member, the nominee of the Commissioners' Court of a County, provided that said County does not otherwise have a voting member of the ETRWPG. Further, in the event a County having only a non-voting member has a resident of said County elected as a voting member of the ETRWPG, then, upon such event, the non-voting member

designated by the Commissioners' Court of said County shall be deemed to have been removed.

### **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 AND PROXIES**

Each member may designate an alternate or written proxy to represent him/her when he/she is unable to attend a meeting or hearing. In the event a member shall designate an alternate or written proxy, then in that event, the designation shall be one of the current members of the group. Each member must notify the Chair in writing of the name and address of the member's designated alternate or written proxy prior to the meeting or hearing at which the designated alternate or written proxy will appear on behalf of the member. The member designating an alternate or proxy shall be required to furnish the proxy or a copy thereof unto the administrative agency (Currently the City of Nacogdoches). If the member fails to provide such notice, the Chair may forbid the participation of the designated alternate or written proxy at the meeting or hearing.

The designated alternate or written proxy 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 or written proxy 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 or written proxies.

## **ARTICLE VIII - OFFICERS**

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

Voting members of the ETRWPG shall select from the voting membership a Chairman, First Vice Chair, Second Vice Chair, Secretary and Assistant Secretary to serve as officers. Each officer shall serve a term of one calendar year. Except as provided under Section 4 of this Article, an officer shall serve until his or her successor takes office. Elections shall

be held annually, with no restrictions on the number of consecutive terms an individual may serve as an officer other than those that apply because of his or her status as a voting member under these bylaws.

## **Section 2 Selection**

Officers shall be selected at the first meeting of each calendar year. Written notice of the meeting to select officers shall be mailed to all members of the ETRWPG by the current Secretary thirty calendar days prior to the meeting.

The Nominating Committee shall recommend a slate of Officers and At-Large Members. Nominations may also be made from the floor by voting members. The voting members shall select officers from among the nominees by majority vote of the voting members present.

## **Section 3 Removal of Officers**

Any officer may be removed from office for any of the grounds for removal of voting members set forth under Article V of these bylaws, or for repeated failure to carry out the duties of the office, by 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 one-third of the voting membership to the Chair or Secretary.

The Chair or Secretary receiving the request shall notify the officer in writing that he or she shall be subject to a removal action at the next scheduled meeting. At the meeting, the officer subject to the possible removal action may present evidence of why he or she should not be removed. If the Chair is the subject of the possible removal action, the Vice-Chair shall preside over the meeting during the agenda item concerning the Chair's removal. The officer subject to the removal action shall not participate in any way in the removal decision, nor shall his or her membership count as part of the voting members present 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.

## **Section 4 Vacancies of Officers**

Whenever an officer vacancy exists because of death, resignation, or removal, the vacancy shall be filled as soon as reasonably possible. The Nominating Committee shall

recommend a replacement to serve the remainder of the term of any member of the Executive vacates their position. Nominations may also be made from the floor by voting members.

The voting members shall select a replacement officer from among the nominees by 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 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**

1. Chair. The Chair shall be the executive officer of the ETRWPG. The Chair will preside at all meetings of the ETRWPG and perform all duties provided by these bylaws. If the Chair is unable to carry out his/her duties, the First Vice Chair shall assume the duties of the Chair.
2. First Vice Chair. The First 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 First Vice Chair shall serve as Chair until the ETRWPG elects a new Chair under Section 4 of this Article. The First Vice-Chair shall perform other duties as assigned by the Chair, or these bylaws.
3. Second Vice Chair. The Second Vice Chair shall assist the Chair and First Vice Chair in the discharge of their duties and, in the absence of the Chair and First Vice Chair, shall assume the full responsibilities and duties. In the event the Chair or First Vice Chair is unable to carry out his or her duties, then the Second Vice Chair shall serve as Chair or First Vice Chair, as the need arises, until ETRWPG elects a new Chair or First Vice Chair under Section IV of this Article, as needed. The Second Vice Chair shall perform other duties assigned by the Chair or by these By-Laws.
4. Secretary. The Secretary shall maintain the minutes and take attendance of the ETRWPG meetings. The minutes and attendance shall be kept as part of the ETRWPG official records. The Secretary shall insure that all notices are properly posted as provided in the bylaws, as required by law, and as required by the Texas Open Meetings Act. The Secretary shall perform other duties as assigned by the Chair or these bylaws. If the both the Chair and Vice Chairs are unable to carry out the duties of the Chair, the Secretary shall assume the duties of the Chair.

5. Assistant Secretary. The Assistant Secretary shall maintain the minutes and take attendance of the ETRWPG meetings in the absence of the Secretary. The minutes and attendance shall be kept as part of the ETRWPG official records. The Assistant Secretary, in the absence of the Secretary, shall insure that all notices are properly posted as provided in the bylaws, as required by law, and as required by the Texas Open Meetings Act. The Assistant Secretary shall perform other duties as assigned by the Chair or these bylaws. If the Chair, Vice Chairs, and Secretary are unable to carry out the duties of the Chair, the Assistant Secretary shall assume the duties of the Chair.

## **Section 6 Executive Committee**

The Executive Committee shall be composed of seven ETRWPG members, including the Chair, First Vice Chair, Second Vice Chair, Secretary, Assistant Secretary and two members-at-large. The two members-at-large shall be selected annually in the same manner and with the same terms as set forth for the selection of officers under this Article. Members-at-large shall be removed and their vacancies filled in the manner prescribed for officers under this Article. Members selected to be the "At Large" members of the Executive Committee shall be from interest groups different from any of the officers of the group; and, each At Large member shall likewise come from a different interest group.

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

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

## **Section 7 Nominating Committee**

The Executive Committee shall appoint a Nominating Committee consisting of five voting members who are not officers of the ETRWPG Executive Committee. Additionally, the current Chair of the ETRWPG shall serve as an ex-officio member of the Nominating Committee. The Executive Committee shall strive for balanced geographic balance in making the appointments. The Nominating Committee shall present recommendations to the ETRWPG prior to the election of Officers and At-Large Members for the Executive Committee, replacement and/or addition of Voting members, and replacement and/or addition of Non-Voting Membership.

## **Section 8 Designated Alternates or Proxies**

A designated alternate or written proxy of a member serving as an officer or member of the Executive Committee 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 ETRWPG shall be posted and open to the public in the manner of a governmental body under the Texas Open Meetings Act and as set forth in TWDB rules. All actions of the ETRWPG shall be deliberated and undertaken in open meeting, unless otherwise authorized by the Texas Open Meetings Act. The time and place of meetings shall be set to facilitate, to the greatest extent possible, the participation of the public in the regional water planning process. Copies of all materials presented or discussed shall be made available for public inspection prior to and following any meeting of the ETRWPG.

### **Section 2 Regular Meetings**

While the regular meeting schedule of the ETRWPG is quarterly, the membership shall meet no less than twice each calendar year. At the first meeting of each calendar year, the ETRWPG shall establish and adopt a regular meeting schedule for the ensuing year. The Secretary shall insure that an advance notice and an agenda for regular meetings will be provided to the full membership of the ETRWPG at least ten calendar days in advance by first class U.S. Mail, facsimile, or electronic mail. Supporting information and member-requested materials shall be distributed to the full membership with the notice and agenda or at the meeting, as deemed appropriate by the Chair.

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

The Chair or a majority of the voting membership of the ETRWPG may call special meetings of the ETRWPG. The Secretary shall insure that advance notice and an agenda for the called meeting is provided to the full membership of the ETRWPG at least five calendar days in advance by first class U.S. Mail, facsimile, or electronic mail. Supporting information and member-requested materials shall be distributed to the full membership with the notice and agenda or at the meeting, as deemed appropriate by the Chair.

## **Section 4    Agenda**

The Secretary of the ETRWPG shall insure that an agenda is prepared and distributed for all meetings, in accordance with Sections 2 and 3 of this Article. Items shall be placed on the agenda by the request of the Chair or by the request of at least three voting members of the ETRWPG. 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 ETRWPG.

## **Section 5    Quorum**

A quorum of the ETRWPG shall be a simple majority of the voting membership or their designated alternates or written proxies excluding vacancies. At least a quorum shall be necessary to conduct any business of the ETRWPG.

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

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

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

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

## **Section 8    Minutes**

1. The Secretary shall insure that minutes of all meetings of the ETRWPG are prepared. The minutes shall:
  - a. state the subject of each deliberation;
  - b. indicate each vote, order, decision, or other action taken;

- c. 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;
  - d. represent an accurate summary of the meeting's record; and
  - e. state any other information required by these bylaws to be included in the minutes.
2. The Secretary shall insure that true copies of the minutes are provided to the full membership as soon as possible following the meeting, but no later than ten calendar days prior to the next regular meeting of the ETRWPG.

## **ARTICLE X - MAKING DECISIONS**

### **Section 1 Applicability; No Written Proxies**

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

### **Section 2 Final Adoption of Regional Water Plan; Amendments**

The voting members of the ETRWPG shall finally adopt the regional water plan for the ETRWPA, and any amendments thereto by two-thirds majority vote of the voting membership.

## **ARTICLE XI - BOOKS AND RECORDS**

### **Section 1 Required Documents and Retention**

Records of the ETRWPG, including:

1. a current membership list with addresses, affiliations, and phone numbers, if not unlisted;
2. the current roster of officers;
3. a copy of the written record of designation of the political subdivision(s) as representative(s) of the ETRWPG;
4. minutes;
5. agendas;
6. notices;
7. contracts, subcontracts, annual financial statements, and any and all financial records and supporting information;

8. bylaws;
9. records of public hearing;
10. correspondence;
11. memoranda;
12. phone logs;
13. committee or subgroup recommendations or findings;
14. draft and final plans;
15. studies;
16. data of any sort;
17. computer records or models;
18. executive summaries;
19. other work products; and
20. any other pertinent information of a public nature shall be kept at the principal office of the ETRWPG for a period of at least five years.

## **Section 2 Inspection and Copying**

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

## **Section 3 Availability of Reports**

All reports, planning documents, and work products resulting from projects funded by the TWDB shall be made available to the TWDB, the Texas Parks and Wildlife Department, and the Texas Commission on Environmental Quality or their successor agencies. At least one copy of the approved regional water plan shall be placed in the county clerk's office for each county and in at least one public library of each county having land within the ETRWPA, in accordance with state law.

# **ARTICLE XII - COMMITTEES**

## **Section 1 Establishment**

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

## **Section 2 Membership**

Membership in the committees and subgroups shall generally follow the requirements and procedures of Article V of these bylaws; membership of the committees and subgroups should be inclusive, rather than exclusive in nature; the interests identified in the initial coordinating body will be invited to participate, as well as other interests that have been identified.

Appointment to committees or subgroups shall be made by majority vote of the voting members present. The terms of office for all members of committees and subgroups shall be either upon the expiration of the term, if any, specified by the ETRWPG in the establishing motion for the committee or subgroup, or upon the expiration of the persons membership in the ETRWPG.

## **Section 3 Officers**

The Chair, Vice-chair, and Secretary of a committee or subgroup established by the ETRWPG shall be selected from the duly-elected members of the respective committee or subgroup. The Chair, Vice Chair, and Secretary of the committee or subgroup established by the ETRWPG shall be elected to their respective offices by a majority affirmative vote of the members of the committee or subgroup.

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

## **Section 4 Meetings**

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

## **Section 6 Code of Conduct**

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

## **ARTICLE XIII - COMPENSATION**

Members of the ETRWPG are not to be compensated for their expenses by the State of Texas. Travel expenses for voting members may be reimbursed in accordance with rules adopted by the TWDB.

## **ARTICLE XIV - COST ALLOCATION**

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

## **ARTICLE XV - CONTRACTUAL SERVICES**

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

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

These bylaws shall have full force and effect upon approval and adoption by the voting members of the ETRWPG, acting on behalf of the interests comprising the ETRWPA, and upon submission to the TWDB in compliance with 31 TAC 357.4. The voting members shall adopt these bylaws and any amendments thereto by two-thirds majority vote of the voting membership.

## **ARTICLE XVII - RESOLUTION ADOPTING BYLAWS**

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

RESOLVED, that the members of the ETRWPG this 8<sup>th</sup> day of December 2010, approve and adopt the amended bylaws presented to this meeting of members as the bylaws of the ETRWPG; and it is

FURTHER RESOLVED, that the bylaws be authenticated as such by the Secretary of the ETRWPG 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 ETRWPG for inspection by members or the public at all reasonable times during business hours.

February 13, 2013  
(date)

  
(Signature of Secretary)