

# REGION 7

## UPPER BRAZOS

Regional Flood Planning Group

FROM: Region 7 Upper Brazos Regional Flood Planning Group  
DATE: December 19, 2023  
SUBJECT: Solicitation of Nominations to Fill Vacancies of the Upper Brazos Regional Flood Planning Group Voting Membership

### **NOTICE TO PUBLIC**

#### UPPER BRAZOS REGIONAL FLOOD PLANNING GROUP (REGION 7)

The Upper Brazos Regional Flood Planning Group (UBRFPG), as established by the Texas Water Development Board in accordance with 31 TAC 361, is soliciting nominations to fill voting member vacancies on the UBRFPG in the following interest area: **Water Utilities (At Large)**.

Article V. Section 3 of the adopted UPRFPG Bylaws states that in order to be eligible for voting membership, a person must be capable of adequately representing the interest for which a member is sought, willing to participate in the regional flood planning process, attend meetings, and abide by the adopted Bylaws.

Nomination forms may be submitted through email to [kdavila@spag.org](mailto:kdavila@spag.org), or by printing the nomination form, completing it, and mailing. A nomination form must be completed and submitted for each nominee to be considered. For specific definitions and eligibility requirements in each of the areas of interest, and to obtain a nomination form, please contact Kelly Davila [kdavila@spag.org](mailto:kdavila@spag.org).

The Upper Brazos Regional Flood Planning Group consists of Baillye, Fisher, Haskell, Jones, Kent, Lamb, Lubbock, Shackelford, Stonewall and Throckmorton Counties. Upper Brazos also includes portions of the following counties: Archer, Baylor, Borden, Callahan, Castro, Cochran, Crosby Dawson, Dickens, Eastland, Floyd, Garza, Hale, Hockley, King, Know, Lynn, Mitchell, Nolan, Parmer, Scurry, Stephens, Swisher, Taylor, Terry and Young.

Nominations must be received by 5:00 PM, Friday, February 2, 2024 addressed to  
Michael Keenum, Chair, Upper Brazos Regional Flood Planning Group  
c/o South Plains Association of Governments  
ATTN: Kelly Davila  
1323 58<sup>th</sup> Street, Lubbock, TX 79413  
Or emailed to [kdavila@spag.org](mailto:kdavila@spag.org)

**Regional Flood Planning Group Voting Membership**

**REGION 7 UPPER BRAZOS REGIONAL FLOOD PLANNING  
GROUP**

**Nomination for Interest Group Small Businesses**

Pursuant to official Bylaws and Guiding Principles adopted by the Region 7 Upper Brazos Regional Flood Planning Group (UBRFPG), nominators shall provide information regarding the nominee's current employer, and provide a description of the nominee's experience that qualifies him/her for the position in the interest group being sought to represent. Please refer to section 361.11 (e) (see addendum) of the Texas Administrative Code for the definitions of the interest categories represented on the UBRFPG.

**NOMINATOR**

**NAME:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

**PHONE:** \_\_\_\_\_ **FAX:** \_\_\_\_\_ **EMAIL:** \_\_\_\_\_

**OCCUPATION:** \_\_\_\_\_

=====

**NOMINEE**

**NAME:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

**PHONE:** \_\_\_\_\_ **FAX:** \_\_\_\_\_ **EMAIL:** \_\_\_\_\_

**INTEREST AREA:** \_\_\_\_\_

**COUNTY:** \_\_\_\_\_

**OCCUPATION:** \_\_\_\_\_

**PLEASE GIVE A BRIEF DESCRIPTION OF THE NOMINEE'S EXPERIENCE THAT WOULD QUALIFY HIM/HER FOR THE POSITION (please use additional pages if needed):**

**PLEASE LIST ANY PERTINENT AFILIATIONS (please use additional pages if needed):**

**DATE SUBMITTED:** \_\_\_\_\_

**PLEASE ATTACH ADDITIONAL INFORMATION IF DESIRED**

**Nominations must be received by 5:00 PM Friday, February 2, 2024 addressed to Michael Keenum, Chair, Upper Brazos RFPG, C/O South Plains Association of Governments, ATTN: Kelly Davila, 1323 58<sup>th</sup> Street, Lubbock, Texas 79412 or email to [kdavila@spag.org](mailto:kdavila@spag.org)**

## 361.11. Designations and Governance of Flood Planning Regions, 31 TX ADC 361.11

### 31 TAC 361.11

#### 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 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 quorum necessary to conduct business;
  - (3) Methods to approve items of business including adoption for 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.

### **361.11 Designations and Governance of Flood Planning Regions, 31 TX ADC 361.11**

- e) RFPGs shall at all times, maintain each of the required positions listed below. However, if a FPR does not have 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 business;
  - 5) Agricultural interests, defined as those person 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 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 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

### **361.11 Designations and Governance of Flood Planning Regions, 31 TX ADC 361.11**

- 13) At their 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 RFPF 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.

### **361.11 Designations and Governance of Flood Planning Regions, 31 TX ADC 361.11**

- 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.



