

LLANO ESTACADO REGIONAL WATER PLANNING GROUP (LERWPG)

REGULAR MEETING MINUTES
FEBRUARY 18, 2016 10:00 A.M.
SOUTH PLAINS ASSOCIATION OF GOVERNMENTS (SPAG)
1323 58TH STREET LUBBOCK, TX 79412

LERWPG Voting Members: Dr. Melanie Barnes; Jack Campsey; Jason Coleman; Delmon Ellison, Jr.; Harvey Everheart; Bill Harbin; Ronnie Hopper; Doug Hutcheson (Secretary-Treasurer); Mark Kirkpatrick; Michael McClendon; Don McElroy, Charlie Morris; Dr. Ken Rainwater; Kent Satterwhite; Aubrey Spear (Vice Chairman); Tom Simons; Jim Steiert; John Taylor; and Jimmy Wedel.

1. CALL TO ORDER AND WELCOME, VICE CHAIRMAN (AUBREY SPEAR)

Vice Chairman, Aubrey Spear called the meeting to order at 10:05 A.M. and welcomed everyone.

Vice Chairman Spear expressed his appreciation to Jason Coleman of the High Plains Underground Water Conservation District as the political subdivision to the LERWPG for the many years of service they provided to the planning group. Vice Chairman Spear introduced Kelly Davila of the South Plains Association of Governments (SPAG) staff. SPAG is the new political subdivision administrating the 5th Planning Cycle (2017-2021) for the LERWPG.

2. ROLL CALL OF MEMBERS TO ESTABLISH QUORUM (BELINDA SOLIS)

It was established that a quorum was present at the meeting of the Llano Estacado Regional Water Planning Group. There were 16 of 19 voting members in attendance of which 10 of 19 voting members shall be necessary to approve any items of business.

The following voting LERWPG members were in attendance:

Aubrey Spear (Vice Chairman), Doug Hutcheson (Secretary-Treasurer), Mark Kirkpatrick, Dr. Melanie Barnes, Jason Coleman, Delmon Ellison Jr., Harvey Everheart, Ronnie Hopper, Michael McClendon, Don McElroy, Charlie Morris, Dr. Ken Rainwater, Tom Simons, Jim Steiert, John Taylor, and Jimmy Wedel.

The following voting LERWPG members were not in attendance (Excused Absences):

Jack Campsey, Bill Harbin and Kent Satterwhite.

The following LERWPG non-voting members were in attendance:

Sarah Backhouse (TWDB), John Clayton (TPWD), Matt Williams (TDA) and Jason Lindeman (TCEQ).

The following guests were recorded to be in attendance (per names obtained from the sign-in sheet): J. Adams; Barney Austin, Aqua Strategies; Amy Ewing, Daniel B. Stephens & Associates; Shane Jones, White River Municipal Water District; Dwayne Montgomery, Amherst City Council;

Jeff Sammon, Brazos River Authority; David Harkins, Carollo Engineers; Whitney Williams; Deanya Williams, Mesa UWCD; Ben Weinheimer, Texas Cattle Feeders Association; Debra Smith, CSR; Paul Jo Lemonds, HDR; Pat Sabala Henry, Cochran County; Keith Sides, USDA-NRCS; Malcolm Laing, City of Lubbock; Lindy Harris, South Plains UWCD; Amber Blount, Sand Land UWCD; Dan Seale, HPWD; Greg Stanton, USGS; Adeline Fox, HPWD; Michael Lowe, City of Lubbock; Carmon McCain, HPWD; and Wendy Ruiz, MBCO Engineering, LLC. Other guests may have been in attendance however if they failed to sign in they are not recorded in the minutes.

3. OVERVIEW OF THE SPAG ORGANIZATION (KELLY DAVILA)

Mrs. Davila gave an overview of the South Plains Association of Governments organization to give the LERWPG members a better understanding of what the organization is and the programs that are offered by SPAG.

ACTION ITEMS

4. REPORT FROM NOMINATING COMMITTEE (HARVEY EVERHEART)

Mr. Everheart reported the nominating committee met in August. The nominating committee made a recommendation to elect Aubrey Spear to serve as the Chair, Mark Kirkpatrick to serve as Vice Chair and Doug Hutcheson to continue to serve as the Secretary-Treasurer. Mr. Everheart opened the floor to accept nominations from the floor. There were no other nominations presented from the floor.

5. ELECTION OF FY 2016 LERWPG OFFICERS

Per the nominating committee's recommendations, Mr. Everheart made a motion to elect Aubrey Spear as Chair, Mark Kirkpatrick as Vice Chair and Doug Hutcheson as Secretary-Treasurer. Jim Steiert seconded the motion. All were in favor, the motion carried.

Chairman Spear and the executive committee expressed their appreciation for the opportunity to continue to serve on the Region O planning group.

6. DISCUSS AND TAKE POSSIBLE ACTION TO APPROVE THE MINUTES OF THE NOVEMBER 12, 2015 REGULAR MEETING

Jim Steiert made a motion to approve the minutes. Charlie Morris seconded the motion. All were in favor, the motion carried.

7. DISCUSS AND TAKE POSSIBLE ACTION AUTHORIZING SPAG TO SEND OUT A REQUEST FOR QUALIFICATIONS (RFQ) FOR THE SELECTION OF A TECHNICAL CONSULTANT FOR THE 5TH PLANNING CYCLE

Chairman Spear stated the first order of business to get the 5th Planning Cycle moving is to approve SPAG to go through their normal RFQ process to select a Technical Consultant. Ms. Davila gave an overview of the SPAG procurement process for procuring a technical consultant. SPAG policy is general and follows the State procurement guidelines. This process is flexible and can accommodate

additional items if the planning group would like to amend the procurement process. The solicitation requirement is to publish the public notice (typically published in the Lubbock Newspaper) with a set timeline for when the proposals would be due. Typically for large projects the solicitation timeline is extended for a minimum of 30-days and generally sent to three to five agencies. Once SPAG receives the proposals, the proposals will be turned over to the sub-committee to review. SPAG will assist in setting up a meeting for the sub-committee to review all the proposals. SPAG will usually advertise the request for proposals in two consecutive ad's (week to week, 7 days apart). At the time the first ad is published it would be at least 30 days from that time period of the first ad. Sarah Backhouse from TWDB will supply Kelly Davila with a list of consultants that provide these services to the 16 Planning Group Regions. Jason Coleman from HPWD requested the RFQ's be made available on the Llano Estacado website.

Jason Coleman made a motion authorizing SPAG to send out a Request for Qualifications (RFQ) for the selection of a Technical Consultant for the 5th Planning Cycle. Charlie Morris seconded the motion. All were in favor, the motion carried.

8. DISCUSS AND TAKE POSSIBLE ACTION TO SELECT A SUB-COMMITTEE TO REVIEW THE REQUEST FOR QUALIFICATIONS (RFQ'S) RECEIVED

Chairman Spear asked for volunteers to serve on a sub-committee to help review the written proposals and make a recommendation to the planning group regarding the top two or three candidates. Chairman Spear invited the following LERWPG members serve on this committee: Dr. Ken Rainwater, Dr. Melanie Barnes, Kent Satterwhite, Jason Coleman and Mark Kirkpatrick. Chairman Spear asked if there were any other volunteers who would like to serve on the sub-committee; no one else expressed interest in serving on the sub-committee. Chairman Spear appointed Mark Kirkpatrick to chair the sub-committee. The top two or three candidates recommended by the sub-committee will be asked to make a presentations before the entire planning group. The final decision to select the Technical Consultant for the 5th Planning Cycle will be made by the entire planning group.

Harvey Everheart made a motion to approve the selection of a sub-committee to review the RFQ's for the 5th Planning Cycle. Dr. Ken Rainwater, Dr. Melanie Barnes, Kent Satterwhite, Jason Coleman and Mark Kirkpatrick will serve as the sub-committee. Jim Steiert seconded the motion. All were in favor, the motion carried.

9. RECEIVE REPORT FROM PUBLIC INPUT MEETING HELD ON FEBRUARY 18, 2016 (KELLY DAVILA)

Mrs. Davila reported there was one public comment received and there were no written comments received. The oral public comments were received from Mr. J. Adams, Cochran County.

General overview of the public comments received from Mr. Adams:

- Only a land owner can plan the future condition of private property; and
- Water Law is not Land Title Law; and
- Land Title lawyers do not appear to be part of this local process; and
- Mr. Adams wanted to lodge a complaint regarding comments he made at one of the previous 4th Planning Cycle meetings held last fall. His comments were noted as expressing his 'personal opinion' – despite the fact that he had documented everything he had to say.

Chairman Spear reported that was the only public comment received and holding the public meeting is a requirement before the planning group can start any 5th cycle activities.

10. DISCUSS AND TAKE POSSIBLE ACTION TO REVIEW MEMBERSHIP VACANCIES (AUBREY SPEAR)

Chairman Spear gave an overview of the six (6) membership vacancies. Chairman Spear solicited feedback and comments from the planning group and gave an overview of the nomination process in filling the vacancies per the LERWPG bylaws. The maximum membership allowed for the LERWPG is 25 members.

Chairman Spear reported a resignation letter will be considered at the next meeting for Mr. Michael McClendon (Brazos River Authority). Chairman Spear expressed appreciation to Mr. McClendon for his good work as the representative for river authorities since approximately 2008. Mr. McClendon will recommend Mr. Jeff Sammon to serve as his replacement on the planning group. Mr. Sammon was in attendance at the meeting and was introduced to the planning group.

It was a general consensus from the discussion to allow for a more "transparent" process therefore formal action will occur at the next regular meeting. To ensure the board is representative of all user groups, members will actively seek to fill vacant membership interest groups accordingly. Members will submit their recommendations via a nomination packet for each candidate and the executive committee will evaluate them prior to the next meeting. The planning group will discuss and take possible action at the next regular meeting to fill vacancies from the list of nominations submitted by the members.

COMMITTEE REPORTS AND OTHER INFORMATION

11. RECEIVE A REPORT FROM TWDB PROJECT MANAGER (SARAH BACKHOUSE)

Ms. Backhouse reported:

- ♦ Peter Lake has recently been appointed to the TWDB; TWDB now has a full board; and
- ♦ The application period for 2016 SWIFT funding closed in early February, there were no applications submitted from any of the Region O entities;
- ♦ TWDB is in the process of putting together the draft 2017 State Water Plan to be taken before the TWDB board for approval releasing it for public comment;
- ♦ There will be a request for public comment period and a public hearing that will be held in Austin. After the public hearing, the draft 2017 State Water Plan will be taken back to TWDB for adoption of the final version (pending no revisions are required);
- ♦ An interactive version of the draft 2017 State Water Plan is available on the TWDB website; the hard copy of the draft 2017 State Water Plan will show a lot more data at the water user group level;
- ♦ TWDB is also working on revising their planning rules and will be soliciting stakeholder input. After the planning rules are revised, TWDB will be updating the guidance documents for the 5th Planning Cycle and Ms. Backhouse will bring updated information for the group later on in the year;
- ♦ TWDB is also working on a timeline for developing projections for this cycle. There will be some changes related to projection for population and municipal projections;

- ♦ TWDB is planning on a utility boundary consent instead of city boundary in order to collect more accurate boundaries data; and
- ♦ Ms. Backhouse also reported Kevin Luge, Project Manager at TWBD, would like to make a projections presentation to the planning group at the next LERWPG meeting.

12. RECEIVE A REPORT FROM THE REGION O ADMINISTRATOR (KELLY DAVILA)

Mrs. Davila reported:

- ♦ SPAG has not received an advance of TWDB funds and as of today's meeting for the 5th Planning Cycle there has only been some minor expenditures that have been covered in-house;
- ♦ SPAG will provide an updated financial report that will cover January – March at the next regular meeting for any grant expenditures;
- ♦ As of January 31st, 2016, HPWD reported a remaining balance of \$65,837.96 for the 4th Planning Cycle. They are completing the 4th Planning Cycle expenditures and we will have one final report from HPWD at the next regular meeting which should zero out;
- ♦ As of December 31st, 2015, for the 5th Planning Cycle the amount of dues SPAG has collected is \$49,944; and
- ♦ The total amount that was invoiced for dues is \$65,000. There was a cushion built in just case some of the entities did not pay the dues as experienced by other regions.

13. RECEIVE A REPORT FROM GROUNDWATER MANAGEMENT AREA REPRESENTATIVES

GMA # 2 – Mr. Ronnie Hopper reported:

- ♦ GMA 2 has three meetings planned this spring. The first meeting was held on January 6th. In order to meet the May 1st deadline the other two meeting have been scheduled for March 10 in Seminole and April 19 in Lamesa; and
- ♦ Bill Hutcheson presented the initial report and gave a presentation at the High Plains Water District meeting which was well received per Mr. Hopper.

GMA # 6 - Mr. Jack Campsey (reported by Ray Brady in the absence of Mr. Campsey):

- ♦ GMA 6 met in February and will meet again on March 26; and
- ♦ GMA 6 is currently modifying their proposed drought proposal.

14. RECEIVE A REPORT FROM OTHER LIAISONS TO OTHER REGIONAL WATER PLANNING GROUPS

Region A – Mr. Kent Satterwhite was absent. There was no report given for Region A.

Region B - Mr. Jack Campsey (reported by Ray Brady in the absence of Mr. Campsey):

- ♦ Region B met on the 10th of February and adopted a budget, elected officers and selected a contractor.

Region F – Mr. Harvey Everheart reported:

- ♦ Region F has not met this year for the 5th Planning Cycle.

Region G – Mr. Michael McClendon reported:

- ♦ There was nothing to report at this time for Region G.

15. RECEIVE PUBLIC INPUT AND COMMENTS TO THE PLANNING GROUP

Chairman Spear opened the floor to accept public input and comments to the planning group. There were no public input or comments received.

16. CONSIDER A DATE AND AGENDA ITEMS FOR NEXT REGULAR MEETING

Chairman Spear stated the next potential meeting date will be in May and the group will be polled to see what date in May works best for the group.

17. CONSIDER OTHER BUSINESS AND ANNOUNCEMENTS

Chairman Spear asked if there were any other business to consider or announcements to be made. There being no other business to consider or announcements, Chairman Spear asked for a motion to adjourn the meeting.

18. ADJOURN

Jim Steiert made a motion to adjourn the meeting. Seconded by John Taylor. The meeting was adjourned at 11:26 A.M.

Note: Agenda items may be considered, deliberated, and/or acted upon in a different order than set forth.

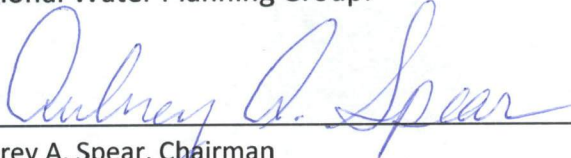
PUBLIC NOTICE

This notice complies with Texas Government Code Chapter 551, Open Meetings Act, Section 551.041 (Notice of Meeting Requirements); Section 551.043 (Time and Accessibility of Notice Requirements); and Section 551.053 (Notice of Requirements of a Political Subdivision Extending Into Four or More Counties). The notice has been filed at least 72 hours before the scheduled time of the meeting with the Office of the Texas Secretary of State, the Lubbock County Clerk's Office and posted on the websites of the South Plains Association of Governments at www.spag.org and Llano Estacado Regional Water Planning Group at www.llanoplan.org.

This notice was posted on January 27, 2016 in Lubbock, Texas.

Belinda Solis of the South Plains Association of Governments staff served as recording secretary for the meeting. Debra Smith with Cathy Sosebee and Associates transcribed the meeting.

These minutes were approved at the May 11, 2016 regular meeting of the Llano Estacado Regional Water Planning Group.



Aubrey A. Spear, Chairman
Llano Estacado Regional Water Planning Group