

Meeting Minutes
Region 6 San Jacinto Flood Planning Group Meeting
February 11, 2021
9:00AM
CISCO WebEx Virtual Meeting

Roll Call:

<u>Voting Member</u>	<u>Interest Category</u>	<u>Present (x) /Absent () / Alternate Present (*)</u>
Russ A. Poppe	<i>Chair, Flood Districts</i>	X
Alia Vinson	<i>Vice Chair, Water Districts</i>	X
Alisa Max	<i>Secretary, Counties</i>	X
Gene Fisseler	<i>At-Large, Public</i>	X
Matthew Barrett	<i>A-Large, River Authorities</i>	X
Elisa Macia Donovan	<i>Agricultural Interests</i>	X
Jenna Armstrong	<i>Small Business</i>	X
Paul E. Lock	<i>Electric Generating Utilities</i>	X
Sarah P. Bernhardt	<i>Environmental Interests</i>	X
Stephen Costello	<i>Municipalities</i>	X
Timothy E. Buscha	<i>Industries</i>	X
Todd Burrer	<i>Water utilities</i>	X

<u>Non-voting Member</u>	<u>Agency</u>	<u>Present(x)/Absent()/ Alternate Present (*)</u>
Adam Terry	Texas Parks and Wildlife Department	
Ellen Kinsey	General Land Office	X
Joel Clark	Texas State Soil and Water Conservation Board	
Timothy E. Buscha	Industries/Liaison for Trinity	x
Kelly Mills	Texas Commission on Environmental Quality	X
Kristin Lambrecht	Texas Department of Agriculture	X
Megan Ingram	Texas Water Development Board (TWDB)	X
Natalie Johnson	Texas Division of Emergency Management	X
Jeff Taebel	Houston-Galveston Area Council	X
Tom Heidt	Port Houston	X
Michael Turco	Harris-Galveston Subsidence District	X

Quorum:

Quorum: **Yes**

Number of voting members or alternates that were present: 12

Number required for quorum per current voting membership of 12: 7

Alfred Garcia

Bob Lux

Brandon Wade
Brooke Bacuetes

Burton Johnson
Chuntania Dangerfield
Clarissa Perez
Cory Stull
Dr. Shelley Sekula-Gibbs
Fatima Berrios
Jake Hollingsworth
James Bronikowski
Jill Boullion
Justin Bower
Kena Ware
Laura Atlas
Laura Norton
Matt Lopez
Matt Zeve
Michael Bloom
Michael Keck
Michael Reedy

Megan Ingram
Mohamed Bagha
Morgan White
Natalie Johnson
Neil Gaynor
Paul Robinson
Pol Bouratsis
Rachel Herr
Reem Zoun
Reid Mrsny
Robert Kosar
Sally Bakko
Shane Porter
Stephanie Castillo
Stephanie Zertuche
Terry Barr
Tiffany Cartwright
Timothy Buscha
Todd Stephens
Tommy Ramsey
Unknown Callers: 3

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

All meeting materials were available for the public at:

<http://www.twdb.texas.gov/flood/planning/regions/schedule.asp>.

AGENDA ITEM NO. 1: Call to Order

Mr. Poppe, Chair of the SJRFPG, called the meeting to order at 9:02AM.

AGENDA ITEM NO. 2: Welcome and Roll Call

Ms. Max, Secretary of the SJRFPG, took roll call and a quorum was established.

AGENDA ITEM NO. 3: Texas Water Development Board Update

Megan Ingram provided a brief update stating that TWDB had begun reviewing the SJRFPG's RFQ, and that TWDB was working with Harris County to create a website for Region 6 – SJRFPG.

AGENDA ITEM NO. 4: Registered Public Comments on Agenda Items 5-17 (limit of 3 minutes per person)

Written comments were distributed to RFPG members via email prior to this meeting.

Verbal public comments related to the agenda were received from:

- a) Neil Gaynor, Montgomery County MUD 6, President – Agenda Item 9 – Mr. Gaynor expressed his concern indicating that the RFPG should have representation of Montgomery County area and surrounding areas, given that it takes up a large portion of the Region 6. He proposed the SJRFPG should establish a new voting member category: "Upper Watershed." He then declared his interest as a representative for Montgomery County as a committee member or liaison role, with Stephanie Zertuche as his alternate.

Ms. Max summarized written comments as shown below:

- a) Gordy Bunch – Mr. Bunch provided a letter advocating for Neil Gaynor to become a voting member to represent the Montgomery area communities, with Stephanie Zertuche as his alternate.
- b) Bob Kosar – Mr. Kosar shared his concerns on flooding issues related to Galveston Bay water surface elevations and impacts from and to upstream watersheds. To support his concern he provided two scientific articles pertaining to Hurricane Harvey and its impacts on Galveston Bay. He also wanted to make the SJRFPG is aware of the flood mitigation projects in process by the USACE.

AGENDA ITEM NO. 5: Approval of minutes from the December 10, 2020 SJRFPG Meeting

After a minor comment made by Mr. Barrett, Mr. Costello moved to approve the meeting minutes as corrected. Ms. Bernhardt seconded the motion, which carried unanimously.

AGENDA ITEM NO. 6: Approval of minutes from the January 14, 2021 SJRFPG Meeting

After several comments made by Mr. Barrett and Ms. Vinson, Ms. Bernhardt moved to approve the minutes as corrected. Ms. Vinson seconded the motion, which carried unanimously.

AGENDA ITEM NO. 7: Announcement of new Alternate Members and new Non-Voting Members

Ms. Max announced new alternates for existing members, both voting and non-voting.

- a) Joel Clark selected Brian Koch as his alternate.

- b) Jeff Taebel, from the Houston-Galveston Area Council, was announced as a new non-voting member with Justin Bower as his alternate.
- c) Elie Alkhoury, from The Texas Department of Transportation, was announced as a new non-voting member with Alfred Garcia as his alternate.
- d) Tom Heidt, from Port Houston, was announced as a new non-voting member.
- e) Michael Turco, from The Harris-Galveston Subsidence District, was announced as a new non-voting member with Christina Petersen as his alternate.
- f) Lastly, Mark Vogler was announced as the new Lower Brazos Liaison appointed by Region 8 RFPG.

AGENDA ITEM NO. 8: Update from Executive Committee, discussion, and possible action on Liaison to the neighboring Region 8 Lower Brazos Regional Flood Planning Group.

Mr. Poppe opened the discussion by reporting that the Executive Committee recommended that the RFPG should wait to designate liaisons until new voting and non-voting members joined the RFPG. He also stated that the Executive Committee had made a recommendation to have only voting and non-voting members of the SJRFPG to serve as liaisons.

Ms. Vinson agreed that the RFPG should wait to appoint a liaison, but asked if Michael Turco would be interested in serving as the liaison to Region 8. Mr. Turco stated his willingness to serve as a liaison, but said he would need to check his calendar to ensure he could serve considering the significant time commitment.

AGENDA ITEM NO. 9: Update from Executive Committee, discussion on Regional Flood Planning Group Membership and recommended actions for future consideration.

- a) Discussion to add additional voting and/ or non-voting member categories
- b) Discussion to add additional non-voting members

Mr. Poppe opened the discussion and stated that the Executive Committee recommended that the addition of new voting members should be incremental. He stated that the current size of the group was 22 voting and non-voting members, and stated the SJRFPG should be deliberate when adding additional voting members.

Mr. Vinson concurred. She stated she supported the creation of the Upper Watershed category proposed by Mr. Gaynor, and asked if the SJRFPG members felt strongly about any other categories.

Mr. Barrett stated that he agreed with Mr. Poppe with waiting, however he also agreed with Ms. Vinson on supporting the additional Upper Watershed category to give upper portions of the watershed better representation.

Ms. Max then reminded the RFPG that moving forward there would be various opportunities to involve new voices that could represent these areas with the creation of new committees/sub-committees. She stated that those committees would support the creation and establishment of the regional flood plan, so the input from these areas would be represented.

Ms. Armstrong passionately stated that the group was lacking Montgomery County representation. She stated the TWDB gave the RFPG authority to add representation where it was missing. She emphasized that politics, flooding knowledge, and regulations within counties differed significantly, and stated Montgomery County should be involved from the start.

Ms. Bernhardt then reassured the members of the public that she represented the entire region as the Environmental Interest stakeholder representative. She suggested that once the consultant is on board, they could help generate public input, and that the RFPG will gather knowledge and input to make the best-informed decisions possible. Discussion ensued.

After further deliberation, no action was taken, and Mr. Poppe suggested the RFPG move on to the next agenda item.

AGENDA ITEM NO. 10: Update on solicitation notices requests and responses for both voting and non-voting members.

Mr. Poppe opened the discussion by stating that the Executive Committee agreed that the new solicitation notices should follow the original membership solicitation process. He then directed the discussion to the Harris County Sponsor and asked them to provide an overview of the proposed solicitation process.

Ms. Berrios, on behalf of the Harris County Sponsor, gave a brief overview stating that solicitation notices were created for each category – one for the Coastal Communities seat and one for the Public seat. She then emphasized that all new voting-members would serve until July 10, 2023, which aligns with the term of the initial members. Mr. Berrios then walked through the information shown on the nominations form and opened the floor for comments and suggestions from the RFPG.

After various comments were made by Ms. Vinson, Ms. Donovan, and Mr. Barrett, the RFPG agreed they would approve the notices, with the recommended corrections, to allow distribution as soon as possible.

Mr. Fisseler then stated he had several colleagues that would be interested, and supported the solicitation notices be sent out as soon as possible.

AGENDA ITEM NO. 11: Discussion concerning pre-planning public input as required by Texas Water Code §16.062(d) and 31 Texas Administrative Code §361.12(a)(4) and recommended actions for future consideration.

Mr. Poppe provided a reminder that no official action could be taken on this agenda item, but mentioned that the RFPG could have a discussion.

Ms. Vinson started the discussion by stating that the Executive Committee recommended that the SJRFPG move forward to hold public meetings, but stated public meeting should be held separately in addition to regular planning meetings. She also stated public meetings should be held as soon as possible.

Mr. Poppe reported that without a consultant the group would have to do the heavy lifting, and Ms. Bernhardt followed by asking how other Regional Flood Planning Groups had executed this process.

Ms. Ingram, on behalf of The Texas Water Development Board, clarified there was a variation of how other RFPGs were handling this matter. She stated that other RFPGs waited until their consultants were hired, but others simply added it as an agenda.

Mr. Buscha asked what exactly the RFPG was looking for in regards to public input, to which Mr. Poppe stated that public input would help guide decisions when developing the regional flood plan, and bring awareness to the RFPG about particular concerns and issues in certain communities. Discussion ensued.

After further discussion, Mr. Poppe stated the March agenda should include an item to address public meetings and input.

AGENDA ITEM NO. 12: Update from Executive Committee, discussion, and possible action on the Texas Water Development Board grant scope submitted by SJRFPG Project Sponsor

Ms. Max opened the discussion by reminding everyone that the Scope of Work was modified to better incorporate the guiding principles for state flood plans. She stated that there was concern from some of the members about the language in the Scope of Work. Ms. Max then walked through the Scope of Work, highlighting the changes that were suggested.

Ms. Donovan followed by thanking the RFPG for considering incorporating her suggestions.

Mr. Costello mentioned that there were some concerns of the language used in the scope in task 3A(1). Mr. Poppe replied by stating that those areas Mr. Costello was concerned about came straight from the TAC, and could not be changed.

Mr. Barrett then asked if Atlas 14 rainfall data was mentioned anywhere in the Scope of Work, or if it was flexible enough to allow the use of Atlas 14. Mr. Poppe replied by stating that in the TAC it stated that the most up to date, available data should be used.

Ms. Donovan moved to accept the Scope of Work as discussed. Mr. Costello seconded the motion, which carried unanimously.

AGENDA ITEM NO. 13: Update, discussion, and possible action concerning technical consultant procurement from Executive Committee, RFQ Review Committee, and/ or Project Sponsor.

Ms. Max began the discussion by summarizing that the RFQ had been created, which included the process for consultant selection. She stated that the consultant selection group would most likely short list top submittals, and would make a recommendation to the RFPG for approval. She also added that TWDB, SJRFPG, and Harris County Commissioners' Court would need to approve the selection.

Ms. Max then gave a brief overview of the minimum criteria and the evaluation criteria. Once she explained the selection process, the minimum criteria and evaluation criteria, she asserted she needed the RFPG to decide how to make the selection during this meeting in order to stay on schedule.

Ms. Max provided three alternatives:

- (1) A Harris County Committee, which would include herself,
- (2) Harris County Staff with one SJRFPG Member that would not include herself,
- (3) SJRFPG Committee, which would be subject to the Open Meetings.

She then stated that the RFQ Review Committee recommended that the RFPG should select the Harris County Committee option.

Ms. Donovan, a member of the RFQ Review Committee, agreed that the Harris County Committee would be the best option to expedite the process to remain on schedule. Ms. Vinson concurred with Ms. Donovan.

Mr. Barrett asked if the consultant selection group could provide a short list of the highest ranked firms for consideration by the RFPG. Ms. Max replied stating that this option, which aligned the most with option (2), might delay the process if the RFPG did not accept the selection, and would also require discussion in open session. Discussion ensued.

Ms. Vinson stated that the RFPG must approve the selection per its bylaws, and asked in which order the Harris County Sponsor would seek approvals of the selection. Ms. Max stated that she could have the RFPG approve first, but it might be more difficult to stay on schedule since the RFPG only meets once a month. Ms. Max stated she would prefer to get Commissioners' Court approval first since they meet every 2-3 weeks. Ms. Vinson then suggested that an interim meeting of the SJRFPG could be scheduled if necessary.

Mr. Poppe informed the SJRFPG a 7-day posting requirement would be needed to hold an interim meeting. He also affirmed option (2) and (3) required much more time for posting.

Mr. Buscha stated the RFPG should have faith that Harris County staff would perform their job effectively and select the right consultant, considering this option was preferred due to time restraints. Ms. Donovan concurred and mentioned Harris County had experience with the procurement process.

Mr. Costello asked if Flood Control District staff could be included in the consultant selection. Ms. Max replied she would have to verify with the Harris County Attorney.

Mr. Poppe gave a 10 minute recess at 11:10 AM and starting the continued the meeting at 11:20 AM.

Ms. Max confirmed that Flood Control District staff could be a part of the consultant selection committee as non-voting members, and said she would love to have Flood Control District staff on the committee.

Mr. Costello then asked how many people would be needed for the consultant selection committee and stated that he would like to see at least two representatives from Flood Control District. Mr. Buscha concurred.

Mr. Costello moved to have a Harris County committee do the selection process. Mr. Buscha second the motion, which carried unanimously.

AGENDA ITEM NO. 14: Discussion and possible recommendation to the SJRFPG concerning approval and tracking of public engagement and speaker requests on behalf of the SJRFPG, including possible delegation of request approval to the Chair and/or Vice Chair.

Mr. Poppe stated that all public engagements were welcomed but the RFPG should have a process for formal requests. Ms. Vinson agreed that a tracking process and approval process would be appropriate and beneficial. Ms. Max also agreed.

Mr. Fisseler stated that the Group should establish talking points to ensure the same message would be shared by all speakers.

Ms. Bernhardt mentioned that TWDB could help prepare those talking points. Mr. Poppe then proceeded to ask Ms. Ingram to make that information/presentation available. Mr. Poppe then asked the Secretary to document these, which Ms. Max agreed to do.

Ms. Vinson agreed that RFPG members should present consistent information and that speaking engagements should be tracked. Ms. Max proceeded assured her staff would determine what information and parameters would be appropriate to document for speaking engagements. Ms. Max stated all speaking engagements should be sent to the SanJacFldPG@eng.hctx.net email for tracking purposes.

Ms. Vinson noted that in the future a formal media policy should be adopted, and the RFPG should designate a media spokesperson, who has media experience.

Ms. Vinson moved to authorize the Chair or Vice Chair to approve speaking engagements on behalf of the RFPG. Mr. Poppe seconded the motion which carried unanimously.

AGENDA ITEM NO. 15: Presentation of 2021 Planning Group key dates and deadlines

Upcoming planning schedule milestones -The next San Jacinto RFPG meeting will be on March 11, 2021 at 9:00 am.

Mr. Poppe said all agenda items for the next RFPG meeting should be given to the SJRFPG Secretary by February 18th. Ms. Max stated that RFQ deadlines were priority right now, and announced that the RFQ would become live February 12, 2021 on Civcast. She reminded all members not to provide additional information aside from what was posted on Civcast.

Mr. Poppe stated that all RFQ questions should be directed through Civcast. He stated that all firms must follow the process set in place for RFQs. Ms. Max further clarified that if any preferential information was provided to any firms by RFPG members, it would automatically disqualify the firm. Ms. Max stated that a copy of advertisement could be distributed, and stated that the Harris County staff would be happy to send the advertisement to certain firms if RFPG members desired.

AGENDA ITEM NO. 16: Reminder regarding Planning Group member training on Public Information Act and Open Meetings Act

Mr. Poppe reminded RFPG members of the required Public Information Act and Open Meetings Act trainings.

AGENDA ITEM NO. 17: Agenda items for consideration for next meeting

- Update from current liaisons on other Flood Planning Region Groups' Progress
- Discussion and update for RFPG Website
- Presentation from Texas Living Waters Project (discussed to present in April's meeting not March)
- Presentation from the Texas General Land Office
- Discussion for conducting public meetings to gather input from the public for the development of Region's 6 RFP
- Schedule and Budget Updates
- Discussion and possible action for the Lower Brazos liaison
- Discussion and possible action for new voting and non-voting members or categories

AGENDA ITEM NO. 17: Public comments – limit 3 minutes per person

Ms. Dangerfield stated no comments were provided by the public.

AGENDA ITEM NO. 18: Adjourn

Mr. Poppe moved to adjourn the meeting. Ms. Max second the motion and it carried unanimously. The meeting was concluded at 12:00PM.



Alisa Max, Secretary



Russ Poppe, Chair