

Meeting Minutes  
Region 10 Lower Colorado-Lavaca Flood Planning Group Meeting  
February 11, 2021  
9:00 AM  
Zoom Virtual Meeting

Roll Call:

Voting Member	Interest Category	Present (x) /Absent ( ) Alternate Present (*)
Terry Been	<i>Agricultural interests</i>	
Phillip Spenrath	<i>Counties</i>	x
Jason Ludwig	<i>Electric generating utilities</i>	x
Kirby Brown	<i>Environmental interests</i>	x
G. Nicholas "Nick" Textor	<i>Flood districts</i>	x
Brandon Klenzendorf	<i>Industries</i>	x
Matt Hollon	<i>Municipalities</i>	x
Frances Acuna	<i>Public</i>	x
Patrick Brzozowski	<i>River authorities</i>	x
Ann Yakimovicz	<i>Small business</i>	x
Kacey Cubine Paul	<i>Water districts</i>	x
Hank Smith	<i>Water utilities</i>	x
VACANT / Kelly Payne	<i>River authorities</i>	x joined following Item 6

Non-voting Member	Agency	Present(x)/Absent( )/ Alternate Present (*)
Shonda Mace	General Land Office	x
David Galindo	Texas Commission on Environmental Quality	
Lauren Mayes	Texas Department of Agriculture	x
Natalie Johnson	Texas Division of Emergency Management	
Beth Bendik	Texas Parks and Wildlife Department	x
Allen Nash	Texas State Soil and Water Conservation Board	x
Hayley Gillespie	Texas Water Development Board	x
Ronald G. Fieseler	Region 11 – Guadalupe Liaison	x
Mark Vogler	Region 8 – Lower Brazos Liaison	* [Brian Fambrough]
Cara Tackett	Region 12 – San Antonio Liaison	x

**Quorum:**

Quorum: **Yes**

Number of voting members or alternates representing voting members present: **11** (12 following Item 6 addition of new River Authority representative)

Number required for quorum per current voting membership of 12: **7** (remained at 7 following Item 6 addition of new River Authority representative increasing voting members to 13)

**Other Meeting Attendees: \*\***

Anna-Maria Clardy  
Ashley Campbell  
Cindy Engelhardt  
Daniel Zell  
Eric Scheibe  
Jamie Burke  
Karen Ford

Matt Bucchin  
Michael Moya  
Michael Personett  
Stephen Rockwood  
Lauren Graber, LCRA  
Marcin Tyszka, LCRA AV  
Morgan White, TWDB

**\*\*Meeting attendee names were gathered from those who entered information for joining the Zoom meeting.**

*All meeting materials are available for the public at:*  
[www.lowercoloradolavacafood.org/meetings](http://www.lowercoloradolavacafood.org/meetings)

## **Agenda:**

### **1. Call to Order**

Chair Phillip Spenrath called the meeting to order at 9:04am CST. A roll call of the planning group members was taken to record attendance and a quorum was established prior to calling the meeting to order.

### **2. Welcome**

Chair Phillip Spenrath welcomed members to the meeting and gave brief introductions to new non-voting members from adjacent planning groups who joined the meeting:

- a) Ronald Fieseler, Region 11 (Guadalupe RFPG): General Manger of Blanco Pedernales Groundwater Conservation District.
- b) Mark Vogler (Brian Fambrough attending on his behalf), Region 8 (Lower Brazos RFPG): General Manager and Chief Engineer at Fort Bend Co. Drainage District.
- c) Cara Tackett, Region 12 (San Antonio RFPG): Senior Vice President for Water Resources at Pape-Dawson Engineers.

### **3. Approval of minutes from the previous meeting**

The draft meeting minutes were reviewed and no corrections or additions were made. Kirby Brown moved to approve the minutes, seconded by Patrick Brzozowski. The motion passed by a vote of 11-0.

### **4. Public comments– limit 3 minutes per person**

Chair Phillip Spenrath called for public comments. No public comments were given.

Planning group member Frances Acuna requested a guest presentation from Danielle Goshen with the Galveston Bay Foundation on the Texas Living Waters Project at a future meeting.

Kirby Brown supported the recommendation to have the Texas Living Water Project presented to discuss natural flood mitigation strategies.

Chair Phillip Spenrath asked Lauren Graber to check on arranging a presentation.

### **5. TWDB Update and Presentation**

Hayley Gillespie (TWDB) gave a presentation on RFPG Responsibilities Scope of Work Overview.

**6. Discuss and Consider action to fill the vacant voting RFPG member seat representing river authorities**

Chair Phillip Spenrath announced that two separate nominations, both for Kelly Payne, had been received to fill the vacant voting RFPG member seat representing river authorities.

Chair Phillip Spenrath then said that at its Feb. 8, 2021 meeting, the RFPG Executive Committee had considered Mr. Payne's nomination to fill the vacant river authority member seat and voted 3-0 in favor of recommending him for the position to the full RFPG.

*a) Public Comments (Public comments limited to 3 minutes per speaker)*

Chair Phillip Spenrath then called for public comments. No public comments were given.

*b) Consider Executive Committee's recommendation, discussion and consider taking action to fill the river authority interest category position for a term commensurate with the initial voting members*

The planning group discussed Kelly Payne's candidacy.

Kirby Brown moved to nominate Kelly Payne, seconded by Patrick Brzozowski.

The motion passed by a vote of 11-0.

Kelly Payne was then added to the planning team members' zoom call to participate as a full member.

**7. Consider nominating and electing two members-at-large to serve on the Executive Committee**

*a) Nominations for two Executive Committee members-at-large by members*

The planning group discussed potential candidates.

Kacey Paul nominated Brandon Klenzendorf. Patrick Brzozowski nominated Kelly Payne.

*b) Discussion and consider taking action to elect Executive Committee members-at-large*

Kacey Paul moved to nominate Brandon Klenzendorf and Kelly Payne to serve as members-at-large on the Executive Committee, seconded by Ann Yakimovicz.

The motion passed by a vote of 12-0.

**8. Consider designating a non-voting member liaison to coordinate between the upstream and downstream Flood Planning Regions located within the same major river basin (required per 31 TAC §361.11(f)(8))**

*a) Nominations for Region 9 Upper Colorado RFPG liaison by members*

The planning group discussed potential candidates.

Kacey Paul nominated Ann Yakimovicz as Region 9 liaison.

*b) Discussion and consider taking action to designate Region 9 RFPG liaison*

Kacey Paul moved to nominate Ann Yakimovicz to serve as Region 9 liaison, seconded by Kelly Payne.

The motion passed by a vote of 12-0.

**9. Consider designating non-voting member liaisons to coordinate with neighboring Flood Planning Regions along the Gulf Coast (required per 31 TAC §361.11(f)(9))**

- a) *Nominations for Region 8 Lower Brazos RFPG liaison by members*  
The planning group discussed potential candidates.  
Patrick Brzozowski nominated Kelly Payne as Region 8 liaison.
- b) *Discussion and consider taking action to designate Region 8 RFPG liaison*  
Patrick Brzozowski moved to nominate Kelly Payne to serve as Region 8 liaison, seconded by Kacey Paul.  
The motion passed by a vote of 12-0.
- c) *Nominations for Region 11 Guadalupe RFPG liaison by members*  
The planning group discussed potential candidates.  
Judge Philip Spenrath nominated Patrick Brzozowski as Region 11 liaison.
- d) *Discussion and consider taking action to designate Region 11 RFPG liaison*  
Judge Philip Spenrath moved to nominate Patrick Brzozowski to serve as Region 11 liaison, seconded by Kirby Brown.  
The motion passed by a vote of 12-0.
- e) *Nominations for Region 12 San Antonio RFPG liaison by members*  
The planning group discussed potential candidates.  
Judge Philip Spenrath nominated Patrick Brzozowski as Region 12 liaison.
- f) *Discussion and consider taking action to designate Region 12 RFPG liaison*  
Judge Philip Spenrath moved to nominate Patrick Brzozowski to serve as Region 12 liaison, seconded by Kirby Brown.  
The motion passed by a vote of 12-0.

**10. Update from Planning Group Sponsor regarding status of Regional Flood Planning Grant contract with the TWDB**

- a) *Discussion on status of application for Regional Flood Planning Grant funds*  
Lauren Graber presented on the status of the application for Regional Flood Planning Grant funds. The application was submitted in mid-January prior to the deadline and now in the hands of the Texas Water Development Board for approval. The grant contract between the TWDB and the sponsor must be executed prior to execution of the contract with the technical consultant.
- b) *Discussion of technical consultant procurement process and RFQ*  
Lauren Graber spoke to the technical consultant procurement process and RFQ. She noted that the RFQ was posted and all questions from potential applicants should be directed to the contact listed on the RFQ.

**11. Discuss and Consider selecting a committee to review responses to the Request for Qualifications for the RFPG technical consultant**

Chair Phillip Spenrath said that, per the group bylaws, the RFPG may delegate administrative decisions to the Executive Committee.

The planning group then discussed whether to select a committee to review responses to the RFQ for the RFPG technical consultant.

Ann Yakimovicz moved for the selection of the Executive Committee to review responses to the Request for Qualifications for the RFPG technical consultant, seconded by Kirby Brown.

The motion passed by a vote of 12-0.

**12. Discuss a means by which the RFPG will develop and host a public website (required per 31 TAC §361.21(b))**

Lauren Graber showed the RFPG the newly created public website [www.lowercoloradolavacaflood.org](http://www.lowercoloradolavacaflood.org) for the RFPG. In reference to agenda items 12, 13, and 14, the website will display all agenda items, meeting dates, member information, etc. Non-voting liaisons will be added as they are selected.

**13. Discuss a means by which the RFPG will accept written public comment prior to and after meetings (required per 31 TAC §361.21(c))**

Lauren Graber demonstrated that the new website contains an option to accept public comments. When a member of the public submits a comment, a notification is sent to the sponsor for collection to share with the RFPG.

Matt Hollon asked if comments shared during the RFPG public meetings would be shared with the public. Lauren Graber answered that any comments will be included in the public record.

**14. Discussion of the required solicitation for persons or entities who request to be notified of RFPG activities (required per 31 TAC §361.21(e))**

Lauren Graber demonstrated that the new website contains a "Subscribe to notifications" form for persons or entities to request to be notified of RFPG activities. All persons who enter their contact information in this form will be sent all relevant notifications going forward.

**15. Discuss the requirement for Flood Planning Members to obtain Public Information Act and Open Meetings Certification to fulfill Texas Government Code 551.005**

*a) Discussion for members to fulfill the requirements of Texas Government Code 551.005*

Chair Phillip Spenrath reminded the group that all RFPG members are required to complete the trainings and receive certification on the Public Information Act and Open Meetings Act. For those who completed the training more than two years ago, it was advised, but not required, that they take the training again. Members need to obtain the certificate of completion of the two trainings and send them to Lauren Graber for record keeping.

*b) Discussion and consideration of a nomination for a Public Information Act Coordinator*

Chair Phillip Spenrath told the group that they might appoint a Public Information Act coordinator and that such action was optional for each Region.

The planning group then discussed the nomination of a Public Information Act Coordinator.

Matt Hollon moved for the nomination of Lauren Graber, seconded by Kelly Payne. The motion passed by a vote of 12-0.

**16. Pre-Planning Public Input – Public input regarding suggestions and recommendations as to issues, provisions, projects, and strategies that should be considered during the flood planning cycle and/or input on the development of the regional flood plan (as required per Texas Water Code §16.062(d) and 31 Texas Administrative Code §361.12(a)(4))**

Chair Phillip Spenrath noted that it is statutorily required that public input be included on at least two RFPG meeting agendas during the calendar year to allow the public to bring forward information on flooding issues, provisions, projects, and strategies. The RFPG members could thus consider inclusion of these topics in future meetings. Items would be considered for inclusion in the final flood plan flood plan. Chair Spenrath noted that such input was posted on this current agenda and would be again for the March 2021 agenda. He asked that persons interested in such agenda items let Lauren Graber know in advance to coordinate their possible inclusion.

Judge Philip Spenrath shared that, as examples, the City of Wharton is considering a levee project and three counties (Matagorda, Colorado, and Wharton) are working together on a project to develop a flood early-warning system, remap the river, and create a new inundation map.

*a) TWDB Presentation*

Hayley Gillespie (TWDB) gave a presentation entitled: "Regional Flood Planning Pre-Planning Public Meeting Requirements."

*b) Public Comments (Public comments limited to 3 minutes per speaker)*

Chair Phillip Spenrath called for public comments. No comments from the public were given. RFPG member Frances Acuña commented that more restrictive regulations should be required for new development along waterways to mitigate flooding, especially in areas with inadequate infrastructure.

**17. Public comments– limit 3 minutes per person**

Chair Phillip Spenrath called for public comments. No comments were given.

**18. Consider date and agenda items for next meeting**

Chair Phillip Spenrath opened discussion to consider the date and agenda items for the next meeting. After general discussion, Chair Spenrath suggested the next meeting be held on Monday, March 29, 2021 at 9:00 AM. The group also requested that the meeting include a discussion of the selection of the RFPG technical consultant.

Patrick Brzozowski moved to hold the next meeting on March 29 at 9:00 AM, seconded by Kacey Paul.  
The motion passed by a vote of 12-0.

**19. Adjourn**

Kacey Paul made a motion to adjourn, Kelly Payne seconded. The motion passed by unanimous consent and the meeting was adjourned at 10:35 AM CST by Chair Phillip Spenrath.

*Approved by the Lower Colorado-Lavaca RFPG at a meeting held on March 29, 2021.*

  
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Matt Hollon, SECRETARY

  
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Phillip Spenrath, CHAIR