

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
AGENDA ITEM REQUEST
for Consideration of Resolution

AGENDA REQUESTED: May 11, 2016

DATE OF REQUEST: April 22, 2016

INDIVIDUAL TO CONTACT REGARDING CHANGES TO THIS REQUEST, IF NEEDED: Derek Baxter, (512) 239-2613

CAPTION: Docket No. 2016-0283-RES. Consideration of a Resolution to appoint two replacement members to the Irrigator Advisory Council at the Texas Commission on Environmental Quality (Commission) to three-year terms. The Irrigator Advisory Council advises the Commission on matters related to landscape irrigation in Texas. These new members would replace two members whose terms were set to expire on February 1, 2019.
(Melissa Keller, Robert Brush) (Project No. 2016-001-RES-NR)

Ramiro Garcia, Jr.

Deputy Director

Susan Jablonski

Division Director

Derek Baxter

Agenda Coordinator

Texas Commission on Environmental Quality

Interoffice Memorandum

To: Commissioners **Date:** April 22, 2016

Thru: Bridget C. Bohac, Chief Clerk
Richard A. Hyde, P.E., Executive Director

From: Ramiro Garcia, Jr., Deputy Director
Office of Compliance and Enforcement

Docket No.: 2016-0283-RES

Subject: Consideration of a Resolution Appointing Members to the Irrigator
Advisory Council
Project No. 2016-001-RES-NR

Requested Commission Action:

Staff requests Commission approval for the appointment of two nominees to the Irrigator Advisory Council (Council) to replace two resigned members with terms expiring on February 1, 2019. The two nominees are: John DeCell (irrigator) and Justin Lewis (irrigator). Once approved, the two nominees will each serve the remainder of the six-year terms expiring on February 1, 2019, as authorized by Texas Occupations Code, §1903.151.

Council Background:

The authority for the Council is provided by Texas Occupations Code, §1903.151. The Council operates through the Program Support Section of the Central Texas Area, Office of Compliance and Enforcement (PSS). Through PSS, the Council advises the Commission on matters relating to landscape irrigation. The nine-member Council has six members representing licensed irrigators and three members representing the public. Members should reflect diverse geographic areas of the state, ethnic groups, businesses, government entities, and trade associations. The Council is currently set to expire on February 1, 2021.

Selection Process:

Two vacancies on the Council were created with the resignation of two past members with terms expiring on February 1, 2019. PSS initiated the nomination process to fill these vacancies by soliciting nominations through a notice on the Council webpage, the irrigation listserv, and correspondence to various trade associations and individuals. PSS received five nominations to fill the two vacancies. PSS considered geographical representation and the backgrounds of the nominees in making the following recommendations: John DeCell and Justin Lewis.

Commissioners

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April 22, 2016

Re: Docket No. 2016-0283-RES

Nominees' Background:

John DeCell, LI0003466, Hockley, Texas (TCEQ Region 12)

Mr. DeCell is a Licensed Irrigator, Licensed Backflow Assembly Tester, and a Licensed Irrigation Inspector. In addition to having 28 years of industry experience, Mr. DeCell has a strong consumer outreach background. He is an active participant in the TCEQ Cross-Connection Control Subcommittee.

Justin Lewis, LI0008515, Fort Worth, Texas (TCEQ Region 4)

Mr. Lewis is a Licensed Irrigator, as well as a Licensed Backflow Assembly Tester (BP0001608). In addition to having eight years of teaching experience in the industry, Mr. Lewis also has experience as an irrigation supplier, as well as previously owning his own irrigation installation company. He is active in the Lonestar Irrigation Association as a board member.

The résumés of all nominees and current Council members are attached for your review, along with a brief summary prepared by program staff.

Agency Contacts:

Melissa Keller, Project Manager, (512) 239-0629, Program Support Section

Bob Brush, Staff Attorney, (512) 239-5600

Derek Baxter, Texas Register Coordinator, (512) 239-2613

Attachments:

- A Résumés of Recommended Nominees
- B Summary of Qualifications and Résumés for Other Nominees Considered
- C Summary of Current Members
- D Copy of Texas Occupations Code, §1903.151
- E Draft Resolution
- F Map

cc: Chief Clerk, 7 copies

Attachment A

Résumés of Recommended Nominees

25740 Century Oaks Blvd
Hockley, Texas 77447
936-372-9884
jdecell@vepollc.com

JOHN S. DeCELL

OBJECTIVE Seeking a position on the Irrigator Advisory Council

WORK EXPERIENCE

VEPO, LLC

Managing Member, Hockley, Texas

March 2010 – Present

- Manage the day to day operations of the business
- Assist in the development of online programs to conserve and protect the water supply through efficient irrigation and the entry and tracking of Customer Service Inspection Certificates and backflow Test and Maintenance reports

SOFTWARE REPUBLIC, LLP

President, Hockley, Texas

November 1987 – Present

- Manage the day to day operations of the business
- Develop landscape and irrigation design software to assist industry professionals with the tools required to create efficient systems such as pipe sizing, hydraulic calculations, distribution analysis and more
- Develop water management software to assist professionals in water use calculations and proper irrigation scheduling

FIRST AMERICAN BANK AND TRUST OF BAYTOWN

Vice President, Baytown, Texas

August 1982 – January 1988

- Director of Marketing
 - Loan officer managing a portfolio of more than three million dollars
-

EDUCATION

UNIVERSITY OF HOUSTON AT CLEAR LAKE CITY

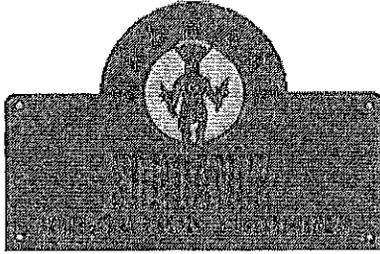
Bachelor of Business Administration

May 8, 1982

REFERENCES

DOUG GOODWIN, Irrigation Services, Inc.
281-728-0267

JERRY LEWIS, Sundance Irrigation Training
817-300-7115



Justin Richard Lewis

Sundance Training Instructor

Sundance Training
P.O. Box 1661
Keller, Texas 76244
(817) 431-6411 / (800) 828-9275
justin@irrigationtraining.com

Permanent Address
4312 Spindletree Ln
Ft Worth, Texas 76137
(817) 729-1639
txyoungli8515@gmail.com

TCEQ Occupational Licenses

Licensed Irrigator: LI0008515 2001-Present
Licensed Backflow Prevention Assembly Tester: BP0001608 2001-Present

Sundance Training Course Instructor for Jerry R. Lewis, TCEQ Training Provider 0352 2008-Present

Basic Landscape Irrigation System Design TCEQ Course 0744
Backflow Prevention TCEQ Course 0745
Backflow Prevention Assembly Tester TCEQ Course 1200/1201
Computer Aided Design TCEQ Course 0796
Irrigation Technician TCEQ Course 0544
Landscape Irrigator Lixensing TCEQ Course 0010
Sub-Surface Drip Irrigation TCEQ Course 857

Other Teaching Experience

Woodbadge SR547 & SR697: Youth Teacher
Sid Richardson Chisholm Trails Camp: Youth Teacher
Troop 32 Senior Patrol Leader
Troup 32 Junior Scoutmaster

Work Experience

Sundance Irrigation Training - Instructor 2008-Present
Sundance Training - Teaching Assistant 2000-2008
Lone Star Irrigation Association Review Instructor -
Irrigation Technician and Irrigation Inspector Exams 2012-Present
Grooms - Branch Manager 2012-2013
Greener Pastures - Account Manager 2011-2012
Brickman - Irrigation Supervisor 2010-2011
Thunderbird Irrigation Owner - Installations, Repairs, Backflow Testing 2000-2012
Ewing Irrigation - Front Counter, Stocker, Delivery 2008

Professional Associations

Lone Star Irrigation Association 2000-Present
Lone Star Irrigation Association Review Instructor -
Irrigation Technician and Irrigation Inspector Exams 2012-Present

Honors & Achievements

Texas A&M University Corps of Cadets Squadron 3
Keller High School Faculty Top Ten Seniors
International Thespian Society Distinguished Achievement
National Honor Society
Eagle Scout November 2003
Nine Eagle palms completed by November 2006

Community Activities

Organized and lead landscape and irrigation project for Children's home
Installation of Butterfly Garden at Elementary School

Attachment B

Summary of Qualifications and Résumés for Other Nominees Considered

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John Scott Heidman, LI0004664, Rowlett. Mr. Heidman has been in the irrigation supply business for 20 years. He currently is the Director of Business Development at Irrigators Supply Inc.

J. Randall Merriott, LI0005817, Lubbock. Mr. Merriott is an owner and operator of a small landscape irrigation business, with a focus on service calls/repairs. He also has experience in irrigation supply and irrigation design.

Gail Donaldson, LI0010803, Richardson. Ms. Donaldson is the current Water Conversation Manager for the City of Allen. She also has experience in education and teaching.

John Scott Heidman L.I. 4664
7401 Centenary Drive
Rowlett Texas 75089
214-519-4907 cell
972-562-5390 office
sheidman@hotmail.com

Work Experience:

Irrigators Supply Inc.

September 1999 – Present

Director of Business Development

Responsibilities: Contract and pricing agreements with customers and manufacturers, overall irrigation sales at our locations, technical support and training.

Goldthwaite of Texas Toro

June 1996-December 1999

Responsibilities: Outside Sales of Irrigation and Power Equipment.

Volunteer Experience:

Dallas Irrigation Association

May 2011-Present (Secretary)

Texas Irrigation Association

October 2012- December 2013 Board member

December 2013 – December 2015 President

J. Randall Merriott
5405 36th Street
Lubbock, Texas 79407

Telephone: 806-778-5124
Email: jrmerriott@gmail.com

Experience

Irrigation Dynamics, Lubbock, Texas. 2003 – Present. Owner and operator of small landscape irrigation service company, specializing in maintenance, repair, and water-conserving upgrades. We currently do over 500 irrigation service calls per year.

Equipment Supply Co., Inc., Lubbock, Texas. 1997 – 2003. Inside sales for a regional wholesale irrigation equipment distributor. Designed irrigation systems. Purchased and sold large quantities of irrigation products. Produced catalogs.

Aquamizer Irrigation, Abernathy, Texas. 1996 – 1997. Landscape irrigation contractor and agricultural irrigation consultant.

DeJarnett Development, Hale Center, Texas. 1995 – 1996. Designed sub-surface drip irrigation systems for cotton farms.

Complete Computer Services, Vero Beach, Florida. 1994 – 1995. Sold, set up, and repaired personal computers and taught classes in Excel.

Kerr Center for Sustainable Agriculture, Vero Beach, Florida. 1992 – 1994. Produced educational publications. Computer software support services for center staff.

Ven-Mar Irrigation, Vero Beach, Florida. 1989 – 1992. Design engineer with large agricultural irrigation contractor. Designed micro-sprinkler systems for citrus groves and estimated material costs.

Education

B.S. Agricultural Engineering. Texas Tech University, Lubbock, Texas. 1988.

Licenses & Certifications

Texas Licensed Irrigator No. 5817. 1996 – Present.

Irrigation Association Certified Irrigation Designer (Ag Drip/Micro). 1995 – Present.

Irrigation Association Certified Irrigation Contractor. 2009 – Present.

Memberships & Awards

South Plains Irrigation Association. Member, 2003 – Present. President, 2005 – 2006, 2016

Texas Irrigation Association. Member, 2007 – Present. Board of Trustees, 2008 – 2009.

Lubbock Chamber of Commerce. Member, 2004 – Present. Water Conservation Council

Co-Chairman, 2008. Business of the Month, June 2009. Water-Smart Business, Spring 2010.

Lubbock Toastmasters. Member, 2006 – 2016. President, 2010

GAIL DONALDSON

2964 Warm Springs, Richardson, TX 75082 gail.donald@yahoo.com 214-557-1343

QUALIFICATIONS

- Strong educational background in horticulture, irrigation, and plant materials.
- Five years experience as Horticulture Extension Agent.
- Fifteen years college program administration and curriculum development experience.
- Eight years experience in Water Conservation.
- Texas Irrigators License, Irrigation Association Certified Landscape Irrigation Auditor.
- Excellent business and personnel management skills.
- Excellent public relation and computer skills.

WORK EXPERIENCE

November 2007- Present

WATER CONSERVATION MANAGER

City of Allen
305 Century Parkway
Allen, Texas 75013

Responsible for managing and monitoring the City's Water Conservation Program; supervising the work of the water conservation staff; analyzing water use patterns and identifying effective conservation measures; preparing and presenting information to City Council and the public; and implementing incentive programs and regulations which promote the efficient use of water. **AWARDS: PRIDE- Excel, 2012**

May 2007- November 2007

COORDINATOR II

Water Conservation
City of Dallas
1500 Marilla St
Dallas, Texas, 75201

Responsible for development and coordination of the Landscape Irrigation Auditing program for Dallas Water Utilities, Conservation Division. Developed program policies, procedures, forms, data collection, advertising, budget for equipment and personnel to begin implementation of residential irrigation audits as part of the strategic plan for water conservation.

EDUCATION

M.S. Higher Ed Administration
Texas A&M University-Commerce
Commerce, Texas

B.S. Horticulture/Education
Texas A&M University-Commerce
Commerce, Texas

CONTINUING EDUCATION

- LEADERSHIP DCCCD 2002-2003
- Visions of Excellence LENS 2001-2007
- Horticulture Texas A&M University Extension 2003
- ALCA/GIE 2001-2003
- Irrigation CEU classes 2004-2015

PROFESSIONAL LICENSE

- Texas teaching license 1990
- Colorado teaching and vocational credentials 1991
- Irrigation Association Certified Landscape Irrigation Auditor 1996
- Texas Irrigators License 2003- License number 10803

PROFESSIONAL AFFILIATIONS/BOARD EXPERIENCE

- Colorado Turfgrass Association, 1992-2000
- Colorado Nursery and Landscape Association, 1992-2000
- Sports Turf Managers Association, 1992-2000
- Golf Course Superintendents of America, 1992-2000
- ALCA-PLANET, 1992-2006
- American Water Works Association (AWWA), 2007-Present

- Collin County AgriLife Extension Advisory Board (2008-Present)
- Dallas Arboretum Education Board, 2003-Present
- Dallas Irrigation Association (DIA), 2003-Present (Board of Directors, 2003-2011; Board Secretary, 2006-2011)
- Texas Turfgrass Irrigation Association (TTIA-now TXIA), 2007-Present (Board of Directors-Trustee for DIA, 2008-2010)

Attachment C

Summary of Current Members

Summary of Current Members

David Kania, LI0008558, Term expires 02/01/17, El Paso. Mr. Kania is a Landscape Plan Examiner for the City of El Paso. Mr. Kania worked as a Landscape Inspector for the City of El Paso for two years and was a Water Conservation Technician for the El Paso Water Utilities for three years. Mr. Kania is a licensed Irrigation Inspector and a Certified Texas Water Auditor. Mr. Kania assisted in the revision of the Landscape Ordinance for the City of El Paso.

Toni Fox, LI0014347, Term expires 02/01/17, San Angelo. Ms. Fox is a Water Conservation Specialist for the City of San Angelo. Ms. Fox worked previously at the United Blood Services as a Community Relations Representative and also at Goodrich Aerostructures as an Engineer. Ms. Fox is a member of the American Water Works Association, Texas Rural Water Association, H2O 4 Texas Association, TTIA, Alliance for Water Efficiency and Texas Nursery and Landscape Association. Ms. Fox received a Masters in Human Resources and Management, as well as a Bachelor Degree in Business Administration from National University.

Mark Froehlich, P.E., Public Member, Term Expires 02/01/17, Houston. Mr. Froehlich is the current Director of the Copperfield Municipal Utility District and previously served as District Engineer for over 20 utility districts in Texas. Mr. Froehlich was Chairman of the Water Smart Committee of the Association of Water Board Directors (AWBD) and also served on the AWBD Technical Advisory Committee. Currently, Mr. Froehlich is the Chairman of the North Houston Association's Board of Directors and is a member of the American Society of Civil Engineers. Mr. Froehlich earned a Bachelor of Science in Civil Engineering from Texas A&M University and is a licensed Professional Engineer (50664) in the State of Texas.

Paul Ward, Public Member, Term expires 02/01/19, Grapevine. Mr. Ward is the current chairperson for the IAC. Mr. Ward works as a certified Building Official. He is certified as a plumbing, building, electrical, and mechanical inspector. Mr. Ward has been recognized by the Mayor of Abilene, and was awarded "Employee of the Year" by the City of Southlake. He has also been awarded the "Spirit of Cooperation Award" by the Greater Fort Worth Builder's Association, the "Building Official of the Year Award," by the Building Officials Association of Texas (BOAT), and the "Construction Research Center Building Inspector/Building Official Award" by the University of Texas at Arlington. He has served on the North Texas Council of Government's Electrical Code Committee, International Code Council, BOAT, and chaired the North Texas International Codes Council Awards Committee. He has been part of the review process for a newsletter called the "The Informer," and on an electrical inspection workbook. He has also served as an officer for the Building Professional Institute. Mr. Ward attended Cisco Junior College and Hardin Simmons University.

Brooke Furrh, LI0009181, Term expires 02/01/21, Amarillo.

Mr. Furrh is a Licensed Landscape Irrigator, a Licensed Backflow Prevention Assembly Tester (BPAT), and a Licensed Landscape Architect. Mr. Furrh holds a Bachelor of Landscape Architecture Degree from Texas Tech University and is the owner of Custom Gardens, LLC. Mr. Furrh also serves on the Texas Panhandle Irrigation Association's Board of Directors. He has also served on the Texas Turf Irrigation Association (TTIA) Board of Trustees, where he was Education Director and Vice President.

Philip Hathaway, LI0007391, Term expires 02/01/21, Bryan.

Mr. Hathaway is a Licensed Landscape Irrigator and a Licensed BPAT. Mr. Hathaway has been a Licensed Landscape Irrigator since 2000 and has worked in landscaping since 1995. Mr. Hathaway is involved in water conservation. He is the current Owner/Manager of IDC Irrigation, LLC. Mr. Hathaway has prior experience as a Designer and CAD Draftsman with McClure & Browne Engineering. Mr. Hathaway is a member of the TTIA. Mr. Hathaway attended Sam Houston State University and received a Bachelor of Science in Industrial Technology – Design and Development with a minor in English.

Gary Miles, Public Member, Term expires 02/01/21, Plano.

Mr. Miles is currently the Manager of the Building Inspections Department for the City of Plano. He is a Master Plumber and has worked in the plumbing field for over 35 years. Mr. Miles is a Certified Building Official (CBO) and is certified by the International Code Council (ICC). Mr. Miles holds a Bachelor of Science in Public Administration from the University of Texas at Dallas.

Attachment D

Copy of Texas Occupations Code, §1903.151

SUBCHAPTER D. IRRIGATOR ADVISORY COUNCIL

Sec. 1903.151. COUNCIL MEMBERSHIP. (a) The Irrigator Advisory Council consists of nine members appointed by the commission as follows:

(1) six members who are irrigators, residents of this state, experienced in the irrigation business, and familiar with irrigation methods and techniques; and

(2) three public members.

(b) Appointments to the council shall be made without regard to the race, creed, sex, religion, or national origin of the appointee.

Added by Acts 2001, 77th Leg., ch. 1421, Sec. 4, eff. June 1, 2003. Amended by Acts 2003, 78th Leg., ch. 1276, Sec. 14A.438(a), eff. Sept. 1, 2003.

Sec. 1903.152. ELIGIBILITY OF PUBLIC MEMBERS. A person is not eligible for appointment as a public member of the council if the person or the person's spouse:

(1) is licensed by an occupational regulatory agency in the field of irrigation; or

(2) is employed by, participates in the management of, or has, other than as a consumer, a financial interest in a business entity or other organization related to the field of irrigation.

Added by Acts 2001, 77th Leg., ch. 1421, Sec. 4, eff. June 1, 2003.

Sec. 1903.155. PRESIDING OFFICER. The council shall elect a presiding officer.

Added by Acts 2001, 77th Leg., ch. 1421, Sec. 4, eff. June 1, 2003. Amended by Acts 2003, 78th Leg., ch. 1276, Sec. 14A.438(b), eff. Sept. 1, 2003.

Sec. 1903.157. MEETINGS. The council shall hold meetings at the call of the commission or presiding officer.

Added by Acts 2001, 77th Leg., ch. 1421, Sec. 4, eff. June 1, 2003. Amended by Acts 2003, 78th Leg., ch. 1276, Sec. 14A.438(c), eff. Sept. 1, 2003.

Sec. 1903.158. PER DIEM; REIMBURSEMENT. A council member is entitled to a per diem as set by legislative appropriation for each day the member engages in the business of the council. A council member is entitled to reimbursement for travel expenses, including expenses for meals and lodging, as prescribed by the General Appropriations Act.

Added by Acts 2001, 77th Leg., ch. 1421, Sec. 4, eff. June 1, 2003.

Sec. 1903.159. COUNCIL DUTIES. The council shall provide advice to the commission and the commission's staff concerning matters relating to irrigation.

Acts 2003, 78th Leg., ch. 1276, Sec. 14A.438(d), eff. Sept. 1, 2003.

Attachment E

Draft Resolution

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



A RESOLUTION

Appointing new members to the Irrigator Advisory Council (Council) at the Texas Commission on Environmental Quality; TCEQ Docket No. 2016-0283-RES Project No. 2016-001-RES-NR

WHEREAS, Texas Water Code Section 5.107 provides the Texas Commission on Environmental Quality (Commission) with the authority to create and consult with the Council; and

WHEREAS, the Regular Session of the 73rd Legislature (1993) adopted Senate Bill 383, subsequently codified as Texas Government Code, Chapter 2110; and

WHEREAS, the Commission issued and adopted a resolution on October 22, 2014 continuing the existence of the Council until February 1, 2021; and

WHEREAS, Commission advisory committees are subject to the Commission's rules regarding such committees pursuant to Title 30 Texas Administrative Code, Chapter 5. The Council's sole duty is to advise the Commission. The Council has no executive or administrative powers with respect to the operation of the Commission, and all such powers and duties rest solely with the Commission; and

WHEREAS, the terms of the following Council members will expire on February 1, 2019: Marsha Carson and Jay Hartley; and

WHEREAS, Council members Marsha Carson and Jay Hartley have resigned from the Council creating two vacancies; and

WHEREAS, the vacant positions will be filled by the persons noted in Attachment A; and

NOW THEREFORE, BE IT RESOLVED BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY, that the following persons be appointed to fill the vacancies on the Irrigator Advisory Council, with their terms to expire accordingly:

Justin Lewis and John DeCell, whose terms shall be effective May 11, 2016 for a three-year term to expire February 1, 2019;

Issued date:

TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY

Bryan W. Shaw, Ph.D., P.E., Chairman

Attachment F
Map

TCEQ REGIONAL MAP OF IAC CURRENT MEMBERS AND RECOMMENDED NOMINEES

Geography is one characteristic when determining the composition of the IAC

Current Members through February 1, 2017

Recommended nominees who will have expiration dates of February 1, 2019

TCEQ Region	Current Member / Recommended Nominee
1	Brooke Furrh, Amarillo, TX (No nominations received)
2	One nominee
3	No nominations received
4	Paul Ward, Grapevine, TX Gary Miles, Plano, TX
4	Justin Lewis, Fort Worth (Two additional nominees)
5	No nominations received
6	David Kania, El Paso, TX (No nominations received)
7	No nominations received
8	Toni Fox, San Angelo, TX (No nominations received)
9	Philip Hathaway, Bryan, TX (No nominations received)
10	No nominations received
11	No nominations received
12	Mark Froehlich, P.E. Houston, TX
12	John DeCell, Hockley, TX (No additional nominations)
13	No nominations received
14	No nominations received
15	No nominations received
16	No nominations received

