

**Proposed Meeting Rules  
For the  
Guadalupe, San Antonio, Mission and Aransas Rivers/Mission, Copano, Aransas  
and San Antonio Basin and Bay Area Stakeholder Committee (BBASC)  
January 2010 (REVISED)**

**1. Meetings are Public:**

While not subject to the requirements of the Open Meetings Act, the BBASC will conform to the intent of the Act to ensure adequate public notice, participation and transparency of the committee's actions. The agenda for each meeting will be posted on the website maintained for the BBASC by the Texas Commission on Environmental Quality (TCEQ) at least 72 hours in advance of the meeting.

Meeting agenda packets, presentation materials, and meeting minutes (following approved by the BBASC) will also be posted on the website.

**2. Administrative Support, Agendas and Record Keeping:**

The TCEQ provides administrative support to the BBASC to include:

- Scheduling of meetings, arranging meeting locations, performing appropriate meeting support to conduct an efficient meeting at the location.
- Preparing and posting agendas, recording meetings and preparing minutes, distributing meeting agenda and support materials to BBASC members and interested parties and organizations who request notification of meetings.
- Maintaining website on which meeting notices and other material on the business of the BBASC will be posted.
- Providing guidance to the Chair, Vice Chair, and committee membership on agenda items.
- Managing all records on the business of the BBASC including agendas and minutes; contact databases of BBASC membership and designated alternates (see below); meeting attendance records and database of citizens and/or other interested parties and organizations with expressed interest in the business of the BBASC.

As soon as the date, time and location of a meeting are set by the BBASC, TCEQ staff shall send notification to the BBASC members and place the meeting notification on the website. The meeting agenda will be prepared as a draft and distributed to the BBASC members at least five days prior to the meeting. At each meeting, the first item on the agenda will be to reach agreement on the agenda. Prior to adjourning each meeting, the Chair will provide an opportunity for committee members to request items for future consideration by the BBASC. Upon agreement of the BBASC on the suggested agenda items, the Chair will coordinate with TCEQ staff to schedule the items to be placed on upcoming meeting agenda.

### **3. Meeting schedule and location**

Regular meetings shall be held on dates and locations (or a minimum the targeted county within the basin where a meeting location will be secured) approved by the membership at the first meeting held in the calendar year, or as soon thereafter as possible. All attempts will be made to secure a meeting schedule that will accommodate a majority of the membership. The Chair has the discretion to cancel regular meetings if it is determined in consultation with the TCEQ staff that the meeting is not necessary. Called special meetings will be scheduled at the Chair's discretion or on request of three voting members. Should a special meeting be scheduled, the Chair should strive to provide the BBASC membership ten (10) working days notice.

The Chair has the discretion to change meeting locations and dates, with appropriate notice provided to the BBASC members. The BBASC members should be notified as soon as the change is known.

To facilitate the work of the BBASC, the Chair may appoint a work group of BBASC members or alternates to gather more information on a topic or to formulate recommendations for consideration by the full BBASC. TCEQ staff will inform the full BBASC membership of the meetings of a work group and attendance by all members is allowed.

The Chair will ask for volunteers from the BBASC to serve on the appointed work group without a limitation on the size of the work group. The Chair will request that a member of an appointed work group volunteer to work with TCEQ staff to ensure that the discussions at the work group meeting are accurately recorded and that meeting notes are prepared. The meeting notes shall be distributed to all the work group members as soon after a work group meeting as possible for review and modification. The work group meeting notes must then be distributed to the full membership of the BBASC prior to the next full meeting of the BBASC where a report by a work group is to be included on the agenda.

Work groups have no decision making authority and recommendations must be presented to the full BBASC for consideration. BBASC members, including those that may have served on the work group, have no obligation to support recommendations presented by a work group.

### **4. Public Participation in the Meetings**

The public will be allowed to speak at the beginning and end of each meeting when recognized by the Chair and, at the Chair's discretion, on specific agenda items. Comments will be limited on each occasion to three minutes unless waived by the Chair.

## **5. Officers:**

A Chair will be elected by the BBASC to preside over the meetings. A Vice-Chair will be elected by the BBASC to preside over the meetings in the absence of the Chair. Each officer shall serve a term of one year and until his/her successor takes the office with no restrictions on the number of consecutive terms an individual may serve. Officers will be elected at the first meeting of each calendar year, with the exception of the first year.

## **6. Quorum**

A quorum of the BBASC is defined as a 2/3<sup>rd</sup> majority (17 members) of the voting membership, including alternates, in attendance.

If a quorum of the BBASC is not in attendance, the Chair may ask those in attendance if they wish to proceed with items on the agenda, such as information briefings, but no discussions to reach consensus on an issue or votes (see item 11 below) can be taken without the presence of a quorum.

## **7. Attendance and Alternates**

Each required interest group/stakeholder should be represented by one of the following:

- Designated member appointed by the Texas Environmental Flows Advisory Committee,
- Member appointed by the BBASC to fill a vacancy in a stakeholder group in accordance with SB3,
- Standing or designated alternate identified by the appointed BBASC member

Each member of the BBASC may designate a standing alternate to serve in the members absence. The BBASC member shall submit his/her contact information to the Chair and TCEQ staff prior to the alternate's participation at a meeting. The BBASC members should through the designation of a standing alternate strive to maintain continuity in the participating alternate. The BBASC member is responsible for ensuring that his/her standing alternate remains informed of the activities of the BBASC. TCEQ staff will distribute all meeting agenda and packet materials to all identified standing alternates.

Alternates may participate in the meetings and, with the exception of the votes on membership to the Bay and Basin Expert Science Team (BBEST), vote in the member's absence. Alternates are considered part of the quorum.

If a BBASC member is unable to attend a meeting or may be required to leave during a meeting, the member is requested to inform the Chair and the TCEQ staff. The member is also required to notify his/her designated standing alternate to ensure representation at the meeting. If a member's standing alternate is unable to represent

the BBASC member at meeting, then the BBASC member may designate a substitute alternate to participate in the meeting, but must inform the Chair and TCEQ as soon as possible before the meeting is convened of the substitute alternate's participation in the meeting. A BBASC member unable to attend a meeting or participate in the entire meeting may submit written comments to be shared at the meeting by his/her designated alternate.

BBASC members who have missed three (3) consecutive regular meetings without being represented by an alternate shall be considered to have engaged in excessive absenteeism. A BBASC member who has missed four (4) consecutive regular meetings may be subject to removal by the BBASC for excessive absenteeism.

#### **8. Communication with stakeholder group represented by BBASC member**

It is at the sole discretion of each BBASC member to determine the method, frequency and level of communication with other interested parties or organizations within the member's respective interest group/stakeholder category.

#### **9. Removal of Members**

Members may be removed by an affirmative vote of 75% of the full BBASC voting membership, including alternates, for the following reasons:

- Excessive absenteeism
- Incapacity
- Change in status so that the member no longer represents the interest/stakeholder category he/she was selected to represent.

#### **10. Replacement of Members (in accordance with provisions of SB3), inserted below:**

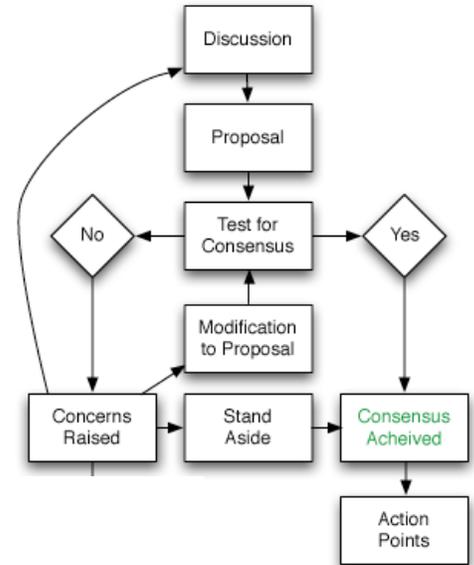
TWC 11.02362(g): Members of a basin and bay area stakeholders committee serve five-year terms expiring March 1. If a vacancy occurs on a committee, the remaining members of the committee by majority vote shall appoint a member to serve the remainder of the unexpired term.

#### **11. Voting**

The BBASC shall attempt to make decisions based on consensus. Consensus is a decision built by indentifying and exploring all members' interests and by assembling a package of agreement which satisfies these interests to the greatest extent possible. A consensus is reached when all voting members agree that their major interests have been taken into consideration and addressed in a satisfactory manner so that they can support the decision of the group. The process of building a consensus involves the development of alternatives and the assessment of the impacts of those alternatives.

Achieving consensus requires serious treatment of every group member's considered opinion. The process of achieving consensus is called *consensus decision-making* and has the components as shown in Figure 1: discussion of the item; formation of a proposal; call for consensus; identification and addressing of concerns; and modification of the proposal.

**Figure 1. Flowchart of consensus decision-making process**



Consensus does not necessarily mean unanimity. Some members may strongly endorse a particular solution or decision while others may accept it as a workable agreement. A BBASC member can participate in the consensus without embracing each element of the agreement, or necessarily having each of his/her interests satisfied to the fullest extent. In a consensus agreement, the members recognize that, given the combination of gains and trade-offs in the decision package and give the current circumstances and alternative options; the resulting agreement is the best one the voting members can make at this time.

If it appears to the Chair that consensus can not be reached, then the Chair may entertain a motion to have the BBASC suspend the attempt to reach consensus on the proposal under consideration by the BBASC. The vote to end the consensus process must receive an affirmative vote of 75% of the full voting membership, including alternates, of the BBASC. The Chair shall only call for the vote if 75% of the voting membership, including alternates, is in attendance at the meeting. If the vote to end the consensus process is approved, then the Chair will entertain motions on the specific proposal to be placed for a vote by the BBASC. Discussion and action on each motion would be facilitated in accordance with parliamentary procedure. For a motion to be approved, it must receive an affirmative vote of 75% of the full BBASC voting membership, including alternates, voting affirmatively.

## **12. Conduct of Meetings**

To the extent not inconsistent with other aspects of these rules, the most current edition of Robert's Rules of Order will be used for guidance in the parliamentary procedure for the conduct of the meetings.

## **13. Amendment of Meeting Rules**

These Rules may be amended by an affirmative vote of 75% of the full voting membership, including alternates, of the BBASC at a properly called and posted meeting. The agenda shall include a caption regarding the proposed section of the meeting rules proposed for amendment.