



North Central Texas Council of Governments

WATER RESOURCES COUNCIL BY-LAWS

**North Central Texas Council of Governments
Adopted on: April 23, 2019**

Article I – Name, Purpose, Responsibilities

The North Central Texas Council of Governments (NCTCOG) is a voluntary association of, by and for local governments, established to assist in regional planning. NCTCOG serves the 16-county area of Collin, Dallas, Denton, Ellis, Erath, Hood, Hunt, Johnson, Kaufman, Navarro, Palo Pinto, Parker, Rockwall, Somervell, Tarrant, and Wise Counties; with membership including counties, cities, school districts, and special districts. NCTCOG has been designated by the Texas Commission on Environmental Quality as the Regional Water Quality Planning Agency for North Central Texas and, as such, is responsible for developing the Water Quality Management Plan (WQMP). Since 1970, NCTCOG has been funded by the TCEQ through 604(b) grant funds. The Water Quality Planning grant program provides funding to perform regional comprehensive water quality management planning activities as described in Section 604(b) of the federal Clean Water Act. These funds provide the means for NCTCOG to identify critical issues facing the North Central Texas region and coordinate its efforts with cities, counties, and utility authorities.

As a part of this program, the Water Resources Council (WRC) was established in 1979 and advises NCTCOG's Executive Board on both technical and policy issues related to water resources. The committee reviews technical issues, oversees the regional water quality management planning process, and performs technical reviews of water-related grant applications. The WRC serves as an advisory committee and provides support and advice to NCTCOG's Executive Board on methods to conserve and protect valuable water resources and plan for regional water quality and water resources management.

In addition to the specific duties outlined below, the WRC primarily assists NCTCOG in development and submission of the annual Water Quality Management Plan (WQMP).

Subject to other tasks being directed by NCTCOG's Executive Board, as the need arises, the specific duties of the WRC include:

1. To serve as a regional forum to provide input, review, comment, and planning in support of NCTCOG's Executive Board related to water resource issues that impact the North Central Texas region.
2. To assist NCTCOG staff in evaluating goals, objectives and plan recommendations, and defining problems and potential solutions in the development and review of regional water quality planning.
3. To hold meetings for conducting regional water resources business based on regionally identified needs of local government members.

4. To review and provide input on Clean Water State Revolving Fund loan applications to ensure conformance with the latest WQMP for North Central Texas.
5. To perform other tasks as requested by NCTCOG's Executive Board.

Article II – Membership

1. Composition and Nomination Process

The Water Resources Council shall not exceed a total of 33 committee members made up of 6 primary members representing major utility providers, up to 12 major utility providers customer members at-large positions, up to 12 utility provider region-at-large positions, and no more than 3 environmental/public interest group representatives, as outlined below. These are proposed guidelines that are subject to variation as necessary at the discretion and approval of the committee. See Appendix A for a detailed outline of the WRC structure.

a. WRC voting representation

1) Major Utility Providers (one from each organization for total of 6)

- i. City of Dallas
- ii. City of Fort Worth
- iii. North Texas Municipal Water District
- iv. Trinity River Authority
- v. Upper Trinity Regional Water District
- vi. Tarrant Regional Water District

2) Major Utility Providers Customer Members At-Large Positions (up to 2 from each utility provider for a total of 12)

- i. Each Major Utility Provider has the option to recommend no more than two of their utility customer members from either wholesale water or wastewater customers or any interest group the agency would like to put forward for participation on the WRC. Major Utility Providers may also fill the two optional positions with representatives from their respective organizations. Nominations for appointments are made by the utility provider's chief executive on staff.

3) Utility Provider, Development Community, or Industry Representative Region-At-Large Positions (up to 12)

- i. Any utility provider or representatives from the development community or water resources industry in the NCTCOG 16-County Region, voted on by WRC, subject to approval by NCTCOG Executive Board.
- ii. All shall have an interest in water resources. Nominations for appointments can be made by members of the WRC or can be submitted from the nominee agency's chief executive on staff.

4) Environmental/Public Interest Groups (up to 3)

- i. Member related to the advancement of water resources, voted on by WRC, subject to approval by NCTCOG Executive Board
- ii. All shall have an interest related to the advancement of water resources. Nominations for appointments can be made by members of the WRC or can be submitted from the nominee agency's chief executive on staff.

2. Qualifications

- a. All Individuals wishing to serve as a Representative (representative) on the WRC will be required to submit a nomination form to be considered by the WRC and must have the support of the organization represented.
- b. All member organizations and their representatives shall be subject to the approval of NCTCOG's Executive Board.

3. Terms of Office

- a. Each WRC member representative shall serve a two-year term. The terms will be staggered with approximately one half of the representatives appointed or re-appointed each year.
- b. The term of appointment for each representative of the WRC shall begin on October 1 and shall be through September 30 of the second fiscal year.
- c. A member may be selected for re-appointment by the WRC subject to approval by NCTCOG's Executive Board.

4. Vacancy

A vacancy occurs when:

- a. A representative becomes incapacitated; or,
- b. A representative resigns; or,
- c. A representative no longer satisfies the qualification requirement; or,
- d. A representative terminates employment with the entity he/she represents.

In the event of a vacancy, the replacement may be appointed from within said vacated representative's member organization (within a three-month time period) and new representative shall serve as interim for the remainder of the vacated representative's unexpired term. Otherwise, NCTCOG may request an out of cycle nomination to fill the vacancy at the direction of the WRC.

5. Attendance

- a. Representatives are expected to attend WRC meetings and participate in other WRC activities. Attendance records documenting representative absences will be maintained by NCTCOG.
- b. If the representative is unable to attend a meeting, a designated voting alternate may attend in his/her place. Designated alternates are individuals identified and appointed by the member organization to represent them. This person will represent the member organization and will be allowed to vote.
- c. A representative's attendance and participation in meetings will be evaluated during the WRC member re-appointment process and will be taken into consideration during the reappointment process.

6. Designated Alternates

A WRC representative may name, by written correspondence to the WRC, a Designated Alternate to perform in WRC activities with the full responsibilities and rights of the absent member.

7. Officers

- a. Term of Office
 - i. The Officers of the WRC shall be Chair and Vice-Chair. They shall serve a term of one year in the capacity of Officer per annual appointment.
- b. Appointment
 - i. The WRC voting members shall put forth candidates for officers for a WRC vote prior to membership consideration by the NCTCOG Executive Board.
 - ii. The appointment of the WRC Chair and Vice-Chair will occur at the same time as the annual appointment of WRC representatives and upon formal recommendation of the WRC, will be brought for approval by NCTCOG's Executive Board in September of each year.
- c. Vacancy
 - i. In the event the Chair is unable to fulfill his/her term, the Vice-Chair will assume the responsibilities of the Chair and will serve for the remainder of the unexpired term and a Vice-Chair replacement shall be nominated for WRC approval.
 - ii. In the event the Vice-Chair is unable to fulfill his/her term for any reason, the WRC will nominate a replacement Vice-Chair.
 - iii. In the event that the Chair and Vice-Chair are simultaneously unable to fulfill their terms, following a determination by NCTCOG staff that both the Chair and Vice-Chair positions are vacated, the WRC will appoint a Chair Pro-Tem to seek nominations and WRC shall elect a new Chair and Vice Chair at the next regularly scheduled meeting to assure continuity of operations, and the WRC will thereafter nominate a replacement Chair and Vice-Chair for WRC approval.
- d. Duties
 - i. The Chair presides at meetings of the WRC. The Chair and NCTCOG staff will solicit input from the WRC and will develop agendas for the meetings.
 - ii. The Vice-Chair performs the Chair's duties in his/her absence.
 - iii. In the event that the Chair and Vice-Chair are absent or unable to perform their duties, upon mutual agreement, WRC representatives present will elect a Chair Pro-Tem for that meeting.

Article III – Meetings

1. Business Procedure

- a. Except where these by-laws require otherwise, *Robert's Rules of Order* shall govern the conduct of WRC meetings.
- b. The WRC may meet more often in order to accomplish necessary business beyond the scope of the regularly scheduled meeting.
- c. Written notice, including an agenda, of each meeting shall be prepared and transmitted by the NCTCOG staff liaison representative prior to the meeting date. Business of the WRC may be conducted electronically, with the concurrence of the Chair or Vice Chair.

2. Quorum and Action

- a. The presence of any combination of ten (10) or more primary, region at-large members, and/or environmental and public interest groups constitutes a quorum for conducting WRC business.
- b. A simple majority vote of the representatives present at a meeting at which a quorum is achieved is necessary to approve a motion by the WRC. Alternatively, electronic communication will be assumed to reach all members, and therefore achieves a quorum for the purposes of electronic business and action.
- c. During a meeting at which a quorum has been established, and then subsequently lost due to representatives leaving, all remaining business items requiring a WRC vote must be postponed or conducted electronically, as needed.
- d. In the case of a tie during a vote at which a quorum is present, the Chair will be deemed to have the authority to break the tie.
- e. For solely electronic business, such as the review of Clean Water State Revolving Fund Projects, a favorable recommendation of the WRC will be assumed in the absence of negative feedback from the WRC.

3. Open Meetings and Records

- a. All meetings of the WRC shall be open to the public.
- b. Summaries of the WRC meetings, documents distributed, and other records are the property of NCTCOG. Copies of summaries from each meeting will be maintained electronically as required by the NCTCOG records retention guidelines.

4. Conflicts of Interest

A representative must disclose any potential conflict of interest to the entire WRC when a vote is called for at a regular WRC meeting. Any representative with a conflict in which action is being taken, must declare a conflict of interest to the WRC prior to a vote, refrain from discussion, and shall recuse themselves from the vote.

Article IV – Changes to By-Laws

Changes to these bylaws can only be made by a positive vote of two-thirds of the WRC's membership or by the NCTCOG Executive Board.

Article V – Role of NCTCOG Staff

NCTCOG will prepare all meeting notices, agendas, rosters, keep attendance records, record the proceedings of each NCTCOG-hosted meeting, and otherwise provide administrative support such as facilitating technical assistance requests, providing outreach to fill vacancies upon request, maintaining the website, and compiling resources within the limits of fiscal resources.

Appendix A. Water Resources Council Member Structure

Major Utility Providers (6)

Major Utility Provider	Position 1 – Agency member
City of Dallas	1 primary member representing their agency
City of Fort Worth	1 primary member representing their agency
North Texas Municipal Water District (NTMWD)	1 primary member representing their agency
Tarrant Regional Water District (TRWD)	1 primary member representing their agency
Trinity River Authority (TRA)	1 primary member representing their agency
Upper Trinity Regional Water District (UTRWD)	1 primary member representing their agency

Major Utility Providers Customer Members At-Large (up to 12, two from each agency)

Major Utility Provider	Position 2 and 3 for each Major Utility Provider – Agency member
City of Dallas	Option to recommend no more than two of their utility customer members from either wholesale water or wastewater customers or any interest group the agency would like to put forward for participation on the WRC. Major Utility Providers may also fill the two optional positions with representatives from their respective organizations
City of Fort Worth	Option to recommend no more than two of their utility customer members from either wholesale water or wastewater customers or any interest group the agency would like to put forward for participation on the WRC. Major Utility Providers may also fill the two optional positions with representatives from their respective organizations
North Texas Municipal Water District (NTMWD)	Option to recommend no more than two of their utility customer members from either wholesale water or wastewater customers or any interest group the agency would like to put forward for participation on the WRC. Major Utility Providers may also fill the two optional positions with representatives from their respective organizations
Tarrant Regional Water District (TRWD)	Option to recommend no more than two of their utility customer members from either wholesale water or wastewater customers or any interest group the agency would like to put forward for participation on the WRC. Major Utility Providers may also fill the two optional positions with representatives from their respective organizations
Trinity River Authority (TRA)	Option to recommend no more than two of their utility customer members from either wholesale water or wastewater customers or any interest group the agency would like to put forward for participation on the WRC. Major Utility Providers may also fill the two optional positions with representatives from their respective organizations
Upper Trinity Regional Water District (UTRWD)	Option to recommend no more than two of their utility customer members from either wholesale water or wastewater customers or any interest group the agency would like to put forward for participation on the WRC. Major Utility Providers may also fill the two optional positions with representatives from their respective organizations

Utility Provider, Development Community, or Industry Representative Region-At-Large Positions (up to 12) Any utility provider or representatives from the development community or water resources industry in the NCTCOG 16-County Region.

Environmental/Public Interest Groups (up to 3): Member related to the advancement of water resources.