



ENRLS COUNCIL MEETING

November 1, 2018
Texas A&M School of Law, Fort Worth

ENRLS MINUTES

I. Welcome and Introductions

Present: Steve McMillen, Susan Maxwell, David Klein, Pete Wahl, Buck Benson, Caroline Sweeney, Greg Ellis, Kristen Fancher

Via Phone: Walt Shelton, Lisa Dyar, Paulina Williams, Connie Westfall, Erin Chancellor, Aaron Vargas

Absent: Rebecca Skiba, Nathan Block, Mike Dillinger, Kellie Billings-Ray, Lyn Clancy

Steve McMillen opened the meeting at 1:32 pm. Based on the Council's prior decision to convene its fall quarterly meeting in conjunction with one of its law school programs, the meeting was held at the Texas A&M School of Law Conference Center, following a panel presentation by ENRLS Council members and discussion session with A&M law students. Also present for the meeting was Section member Scott McDonald, who had moderated the panel presentation.

Note: Based on the discussion and decision at the last quarterly meeting, and in relation to planned amendments to the Section's Bylaws, beginning with this meeting references will be made to the ENRLS "Council," which is comprised of both its elected officers and Executive Committee members.

II. Treasurer's Report

Pete Wahl presented the quarterly financial report covering June through September 2018, which were circulated prior to the meeting. Based on SBOT's recent conversion to new budgeting and reporting software, there are various areas in which SBOT's standard categories and line items do not correspond with ENRLS' existing formats; thus, Pete had included with the quarterly financial report information comparing YTD revenues and expenses with the amounts budgeted for 2018-19, and comparing the quarter's YTD figures with last year's YTD revenues and expenses. Pete will continue to work with the SBOT Accounting department to improve and synchronize their new forms and reporting systems. Steve also noted the need for ENRLS to standardize its financial reporting so that certain recurring categories of annual expense (e.g.

Superconference) are timed to hit around the same time each fiscal year, to facilitate budgeting and year-to-year comparisons.

In reference to the quarterly financial report, Pete noted that the Section is in good financial shape in terms of both revenue and expenses; once SBOT is paid for the major categories of Superconference-related expenses, the balance will reflect its typical status for this point in the budget cycle. Steve raised a question regarding ENRLS's status in reference to SBOT guidance on the recommended level of financial reserves to be maintained by each Section; he will follow up with Pete to evaluate that status.

III. Secretary's Report

Susan Maxwell substituted for Nathan Block as Secretary for the meeting. Susan noted Nathan's prior circulation to Council members of draft versions of the minutes from both the August 1, 2018 ENRLS Council meeting in Austin, and the August 3, 2018 ENRLS annual meeting, held in Austin in conjunction with the Texas Environmental Superconference. Some redlined revisions to both draft sets of minutes had also been circulated, prior to the November 1st meeting. Steve moved to approve both the August 1st and August 3rd meeting minutes, as revised. Lisa Dyar seconded the motion, which was unanimously approved.

IV. SBOT Annual Meeting Planning

Steve led a brief discussion regarding the Section's participation in the State Bar's Annual Meeting, which will be held in Austin June 13-14, 2019. Council members agreed that the Section should continue its practice of presenting an environmental topic at the meeting, including for purposes of marketing the Section's work and promoting membership. Greg Ellis and Paulina Williams suggested several possible water-related topics; details on topic and speaker(s) will be determined at a later date. Steve will followup with the appropriate SBOT personnel, under the deadlines for 1) selecting a date and time for CLE presentation, and 2) submitting ENRLS' topic and speaker(s).

V. ENRLS Bylaws

Steve provided an introductory background regarding the decision at the last quarterly Council meeting to update the Section's Bylaws, in order to conform with various standard SBOT bylaws provisions and revise a number of other provisions. Following that meeting and his initial proposed draft of amended Bylaws, Steve had appointed an ad hoc Bylaws Committee (Nathan, Susan, Erin Chancellor, and Aaron Vargas) to develop and recommend a proposed version of amended Bylaws. Aaron provided the Council with a summary of that process, highlighting the major areas of amendment in the proposed revised document that had been circulated prior to the meeting. Aaron moved that this proposed revised version be approved by the Council and submitted to SBOT for execution; Susan seconded the motion, which was unanimously approved.

VI. Nominating Committee

Steve reviewed the Section's updated process for annual nominations to the ENRLS Council, as set out in the amended Bylaws. This year's nominating committee will be comprised of three Council members (Steve, Rebecca Skiba, and Buck Benson), and three other voting members of the Section, each to be chosen by one of the three Council members. Further developments in this process will be reported by the nominating committee under the provisions and timeline set out in the amended ENRLS Bylaws.

VII. ENRLS Playbooks

Steve reported that, since the initial work session held on August 1st, work has continued on the development of "playbooks" for each of the Council's standing committees, in an effort to outline institutional knowledge and processes for the Section's various programs, activities, and internal operations. Most of the playbooks are in nearly final form, and Steve will circulate those back out to each committee's co-chairs for further review.

VIII. Committee Updates and Recommendations

a. Sponsorship & Membership Committee

Co-chair Caroline Sweeney reported background information collected from SBOT regarding ENRLS Section membership: of approximately 102,000 total SBOT members, approximately 1,350 attorneys are ENRLS members. Pete further noted that, from year to year, the Section gains about 200 new members, and an equivalent number drop from membership. Council members discussed a variety of ideas for how to retain and attract members, including sending a followup reminder (after the annual August 31st deadline) to any members who have not renewed. There may also be membership recruitment benefits through other sponsorship opportunities, including on the updated Section website.

b. Publications & Communications Committee

Co-chair Aaron Vargas reported that the committee's playbook development was significantly focused on the details of overseeing the Texas Environmental Law Journal (TELJ) and building a process for transitioning the Editor-in-Chief position for that major publication of the Section. He noted that the annual TELJ symposium will be held March 23, 2019, and the journal is currently looking for speakers focusing on topics of land use and renewable energy production. Steve also noted that this committee will be responsible for a new ENRLS quarterly newsletter (led by Aaron), which will be sent electronically to Section members following each quarterly Council meeting, in an effort to keep members updated on ENRLS activities and upcoming opportunities.

c. Law School Committee

Co-chair Kristen Fancher reported for the committee, including a recap of the well attended career panel and discussion with Texas A&M law students held prior to the Council meeting. The application period for the annual ENRLS summer internships opens November 2nd and remains open through November, now with eight (8) agency internships available for law students. Kristen also reported that Kimberly Kelley, from Bickerstaff Heath, will take over running the internship program beginning next year. Other upcoming law school programs including a combined program hosted by BP for the Houston area law schools, with a similar plan in the future for the Metroplex area law schools. Former ENRLS Council member Jon Bull has taken over administration and law school liaison aspects of the Section's Buck Wynne scholarship program, and as previously approved the Section has added Administrative Law as a qualifying course for the scholarship. Steve noted that upcoming opportunities for participation in the Section's law school programs around the state is a great example of the intended use of the new ENRLS quarterly e-newsletter.

d. Education Committee

Co-chair Lisa Dyar reported that the Superconference planning cycle is in its dormant season, but that the planning committee was currently negotiating the contract for 2020 with the Four Seasons. The planning committee's program development for 2019 will begin in January 2019, and that process will be used to further develop a detailed Superconference playbook for the Council. One issue that will get some further attention is the process and criteria for awarding available scholarship funds to cover registration costs of non-profit attorneys.

Co-chair Greg Ellis, selected by the Council as its co-chair for the Changing Face of Water Law (CFWL) annual CLE program for 2019 and 2020, reported that the program will take place February 21-22, 2019 at the Hill Country Hyatt outside San Antonio. The planning committee for that conference has already held its main planning meeting, and speaker and topic details are being finalized. Greg suggested more actively cultivating cross-marketing of ENRLS by suggesting relevant speakers and topics for other SBOT-sponsored CLE programs, and looking for similar opportunities to include their hot topics in ENRLS programming. Steve noted that the Council's first quarterly meeting in 2019 will be held at the Hill Country Hyatt the evening of February 20, 2019, prior to the commencement of the full two-day CFWL program.

e. Pro Bono & Community Outreach Committee

Following Marshall Coover's recent resignation from his committee role, Pete volunteered to co-chair the committee this year. Co-chair David Klein reported that the committee again this year is budgeted \$10,000 for charitable contributions related to environmental issues. Discussion followed regarding possible areas of emphasis for these contributions, both topical and geographic; for example, if the Section determines to maintain an emphasis on tree-planting programs, it may focus those efforts around different parts of the state. Greg suggested additional possibilities providing assistance to border colonias, or to the Texas Water Foundation's water conservation education efforts. Further discussion regarding the Section's charitable contributions for 2018-19 will continue. David further noted that the Section can use its upcoming website overhaul for further promotion of legal pro bono work and other volunteer opportunities of interest to Section members.

f. Website & Technology Committee

Co-chair Connie Westfall reported that the contract with new website vendor Workhorse has been signed, and preliminary meetings for design and planning of the Section's new website are underway. The timeline is based on being operational prior to, and for, the 2019 Superconference online registration process.

Steve moved to adjourn the meeting at 3:10pm; Pete seconded the motion, which was unanimously approved.