

## Summary of Minutes

### Water Conservation Advisory Council Meeting

Date: Thursday October 16, 2008  
Time: 10:00 am – 2:40 pm  
Location: Robert E. Johnson Building  
1501 North Congress  
Austin, TX

Meeting called by: C.E. Williams, Presiding Officer  
Meeting Facilitators: TWDB support staff

Council Members in attendance are listed below:

Scott Swanson	Comer Tuck	Greg Carter	Ken Kramer	Gene Montgomery
C. E. Williams	Kelly Hall	Janet Adams	Steven Bednarz	
Carole Baker	Jim Parks	Cindy Loeffler	Karen Guz	
Luana Buckner	Wilson Scaling	Wayne Halbert	Karl Fennessey	

Alternates in place of Council Members:

Kelley Stripling for Gary Walker  
Dan Strub for Bill Hoffman  
Linda Christie for Jim Oliver

At 10:00 am the Council meeting was called to order by the Presiding Officer C.E. Williams. The presiding officer welcomed the Water Conservation Advisory Council (Council), the alternates, and the audience. The first item in the agenda was the approval of the previous council meeting minutes. The previous minutes were approved. The floor was opened for public comment for which there was none.

The floor was turned over to Carole Baker for a brief update on the activities of the Texas Water Foundation. The foundation is continuing with their development of English and Spanish radio/TV spots which will be made available to those who initially helped sponsor this media buy.

The floor was then turned over to Texas Water Development Board (TWDB) Executive Administrator Kevin Ward for his statement on the TWDB's position on the *Water IQ* program. Mr. Ward explained to the Council that the TWDB wanted to clarify their position on the future use of *Water IQ*. He expressed the TWDB's concerns with proceeding to establish the *Water IQ* program as "the" statewide campaign. It was stated that the initial contract for the *Water IQ* brand was developed to be a program that could become a tool free for municipalities. The TWDB saw the *Water IQ* program as being one of many tools that the agency could offer to entities as they tailored their own educational programs. Additionally, Mr. Ward explained that the TWDB intentionally formatted their recent exceptional item request as requesting \$6 million for "a" statewide campaign. This would in turn require a formal request for qualifications (RFQ) process, which the TWDB wants to ensure. Mr. Ward also shared

that he has received several concerns that *Water IQ* should not be further developed as “the” statewide campaign.

Mr. Ward stated that it was the agency’s desire to address the Council today and formally request that the Council consider the TWDB’s written comments (Appendix A). He also explained that the TWDB desires that the Council does not identify *Water IQ* as “the statewide campaign”, nor “the statewide water conservation public awareness program” in the report to the Texas Legislature. Mr. Ward stated that should the Council adopt the TWDB’s suggested comments for the legislative report, that the TWDB would be able to formally support the Council’s recommendations.

After Mr. Ward’s comments to the Council, several members of the council expressed strong concerns about the TWDB’s position on this matter. Some of the following sentiments were shared in response to Mr. Ward’s statements:

- ❖ Concerns that years of time and effort to establish *Water IQ* as the statewide public awareness program would be discarded.
- ❖ Concerns that local entities have: supported the development and usage of *Water IQ* for eight years, spent millions of dollars of local funding, and increased the usage of the brand with other local entities across Texas.
- ❖ Concerns about how local entities across Texas had supported *Water IQ* and invested funds in using the brand because they were led to believe that *Water IQ* would be the statewide program or campaign.
- ❖ Belief that *Water IQ* had a positive public impact after the severe drought of North Texas in 2005 where there was an immediate need to inform and educate the public on their water source and why to conserve it.
- ❖ Belief that a “new brand” for a statewide campaign would be unnecessary and would lead to public confusion; audiences are already familiar with the *Water IQ* brand.
- ❖ Belief that any formal RFQ process should be based on building upon the *Water IQ* trademark.
- ❖ Concerns that should *Water IQ* not be recommended as “the statewide campaign” that there would then be a significant period of time before another brand is developed and available to the state for use.
- ❖ Belief that this *Water IQ* brand was developed with comprehensive amounts of research, studies, marketing, and local entity money. The research has demonstrated that *Water IQ* targets what people need to know in order to become motivated to conserve.
- ❖ Concerns that as *Water IQ* has become very well known and recognized on the national level, that it has become a model for other states.
- ❖ Belief that to redevelop a new statewide campaign would be redundant and fragment the state’s conservation efforts.
- ❖ Concerns that it would be difficult to ask \$6 million from the Legislature for the purpose of starting over, when so much progress has been made with the *Water IQ* brand.

- ❖ Belief that *Water IQ* was to be a long-term viable campaign similar in scope and nature to the nationally recognized and acclaimed “*Don’t Mess With Texas*” campaign.
- ❖ Belief that because of the original charge to the Water Conservation Implementation Task Force, the Task Force submitted their findings that the state creates a statewide public awareness program. The *Water IQ* brand was developed as a follow-up to response effort to the Task Force recommendation.

There were some other sentiments shared, stating that some entities may feel that the *Water IQ* message is not necessarily adequate or specific for their region. Others stated there is a need to move forward with *Water IQ* because conservation efforts and outreach is imperative.

There was some discussion amongst the Council members that *Water IQ* is not a limiting program but rather one that compliments any other existing public awareness programs that entities have developed. It would not be a tool that must be used but rather a tool used to enhance public awareness programs and a tool that could be specifically tailored to fit a particular area or audience as needed.

After the many comments from the council members, Executive Administrator Ward said he had heard and understood the Council's concerns and desires to further develop *Water IQ* as “the “ statewide program or campaign, and stated that he would take the Council's concerns and comments to the TWDB Board. Mr. Ward also brought up the point that the TWDB still has not yet acquired the official service mark license, though they have filed for it.

The Council discussed writing a formal letter of statement to the TWDB Board describing their position on the matter. It was decided that after a lunch intermission the Council would entertain a motion on such an action item.

There was a break in the meeting for a 40 minute lunch.

After intermission, the Council discussed revisions for their final draft report to the Legislature. Several details were addressed and will be incorporated into the final version.

It was stated for the purpose of clarity that the Council would not include the TWDB's submitted revisions but rather adopt a motion to send a formal letter to the TWDB Board instead. The council adopted the motion 19 Yea, 0 Nay, 1 Present and Not Voting. The motion stated:

*“I move that the Water Conservation Advisory Council support a Request for Qualifications process for the statewide public awareness program with the understanding that Water IQ is the statewide public awareness program for which proposals would be sought and that the Water IQ program be flexible enough to address local and regional needs and concerns- and that this position be communicated to the Texas Water Development Board in a letter from the Council Chairman.”*

The next meeting of the Water Conservation Advisory Council will be a teleconference on November 10, 2008 as well as a November 17, 2008 meeting in Austin if the Council feels that is needed.

Council meeting was adjourned at 2:40 pm.

# **Appendix A:**

Letter from Texas Water Development Board  
Executive Administrator

10/15/08

C.E.,

As the presiding officer of the Water Conservation Advisory Council, I formally request that you consider comments from the Texas Water Development Board on your draft report to the Legislature. Based on our discussion earlier today, I would believe that the changes I am asking the Council to consider would be consistent with their goals regarding obtaining appropriations from the Legislature to implement a statewide water conservation media campaign such as recommended by the TWDB in an exceptional item request for the upcoming biennium. Our comments follow:

In the Council's report to the Legislature, the "Water IQ" trademark should not be identified as the statewide water conservation public awareness program contemplated by Section 16.401, Texas Water Code. Section 16.401(b) provides that the TWDB executive administrator is required to develop that statewide program "only if the legislature appropriates sufficient money.." To date, there has been no such appropriation and so, a statewide program has not been developed. To be fair, and legal, any contract work for developing a program would need to go through state procedures and Board approval.

The draft of the Council's report to the 81st Legislature should be revised to make it clear that the "Water IQ" trademark is not "the statewide water conservation public awareness program". Specifically:

- at page 15, line 8, change "the" to "a" (.."funding a statewide water...");
- at page 15, line 11, change "the statewide Water IQ Public Awareness and education campaign" to "a statewide water conservation public awareness and education program";
- at page 15, between lines 11 - 12, add: "The Council notes that the Texas Water Development Board has developed a "Water IQ trademark. The Council acknowledges that this trademark is not the statewide water conservation awareness program contemplated by the Legislature in Section 16.401, Water Code, and that the Board is requesting special funding from the 81st Legislature for this program."
- at page 17, line 44, change "the statewide public awareness campaign" to "a statewide water conservation public awareness program";
- at page 51, lines 25 - 26, delete: "for promoting Water IQ as a statewide awareness program";
- at page 51, line 43 through page 52, line 3, delete the last three sentences beginning with "The development and ...";
- at page 52, line 4, change "the statewide" to "a statewide";
- at page 52, lines 7 - 8, change "the ongoing statewide" to "a statewide";
- at page 52, lines 16 - 17, delete "promoting, further" and change "the Water IQ Campaign" to "a statewide public awareness program".

I would also ask that members of the Council review the tone of the discussions and recommendations in the draft report related to reporting on current water conservation activities as well as recommendations for future activities and actions by the Legislature to ensure that there is no indication that "Water IQ" is being developed as "the statewide public awareness campaign" or that members of the Council or its various subcommittees would view their own activities related to use of Water IQ as a Water IQ trademark are an effort to develop "the statewide water conservation campaign."

I also recommend that the Council authorize Board staff to make any additional edits consistent with these concerns, and subject to the Council's approval, during the final edit and formatting of the draft, particularly as it appears in any of the appendices of the report.

Thank you for your consideration of this very important matter. I think the clarity in the report will help gain support for the Council's recommendations from my Board.

-Sincerely,

Kevin Ward