

MINUTES

RIO GRANDE REGIONAL WATER AUTHORITY (RGRWA)
BOARD OF DIRECTORS MEETING
9:00 A.M. – TUESDAY, FEBRUARY 20, 2007
PALM VIEW COMMUNITY CENTER
3401 JORDAN – MCALLEN, TX

PRESIDING: JIM DARLING, PRESIDENT

The Rio Grande Regional Water Authority (RGRWA) Board of Directors held a regular meeting at 9:00 a.m. on Tuesday, February 20, 2007 at the Palm View Community Center in McAllen, Texas. In attendance were:

Board Members

President: Mr. Jim Darling, Hidalgo County
Secretary -Treasurer: Mr. Joe Barrera
Mr. Eduardo Guerra, Zapata County
Mr. Tomas Rodriguez, Webb County
Mr. John Bruciak, Cameron County
Mr. Wayne Halbert
Mr. Jimmie Steidinger
Mr. Glenn Wilde

Others

Mr. Charlie Rankin, El Morillo Drain
Mr. Glenn Jarvis, Region M
Mr. Carlos Rubinstein, TCEQ
Mr. Charles Browning, NAWSC
Ms. Linda Fernandez, Fernandez Group, Inc.
Mr. Jake White, NRS
Mr. Julian J. Gonzalez, City of Mission
Hon. Kika de la Garza
Mr. Ken Jones, LRGVDC
Ms. Debby Morales, LRGVDC

President Jim Darling called the meeting to order at 9:15 a.m. and announced that a quorum of Board members was present. The President then moved to agenda item 2. – Consider approval of January 16, 2007 Meeting Minutes. **Mr. Joe Barrera made a motion to accept the minutes as presented. Mr. John Bruciak seconded the motion, and upon a vote the motion carried unanimously.**

The President then moved to agenda item 3. – Public Comment. As there were no public comments the President then moved to Agenda item 4. – Election of Officers. President Darling opened the floor for nominations. Mr. Wayne Halbert suggested that the current officers continue to serve for the term, thus nominating Mr. Jim Darling for President, Ms. Sonia Kaniger for Vice-President and Mr. Joe Barrera for Secretary-Treasurer. **Mr. Jimmie Steidinger made a motion to cease nominations. Mr. Wayne Halbert made a motion to elect Mr. Jim Darling as President, Ms. Sonia Kaniger as Vice-President, and Mr. Joe Barrera as Secretary-Treasurer. Mr. Glenn Wilde seconded the motion, and upon a vote the motion carried unanimously.**

Upon conclusion of action on Election of Officers, President Darling moved to item 5. – Report from TCEQ Watermaster, and recognized Mr. Carlos Rubinstein. Mr. Rubinstein then gave the Watermaster's report.

Mr. Rubinstein then asked permission from President Darling and the Board to discuss item 8.E. – El Morillo Drain. Mr. Rubinstein stated that over the last two months there had been problems with power outages causing the pumps at El Morillo Drain to fail, in addition, the pumps had been intentionally turned off at times in order to conserve electricity. The result was a waste of over 5,000 acre feet of U.S. water released to try to correct the problems this caused. The TCEQ Watermaster's staff had taken readings from the bottom of the pool that indicated the TPS was over 3,000, which was extraordinarily high. President Darling asked who on the Mexican side was responsible for these issues. Mr. Rubinstein stated that according to Minute Orders 303 and 233 operation of the El Morillo Drain should be maintained by SILA, but it was currently being maintained by CNA, and that he would provide copies of said minute orders to the members of the Board. Mr. Rubinstein informed the Board that he had raised this issue with Mr. Carlos Marin, IBWC, who in turn raised the issue with Mexico. Mr. Rubinstein stated that he had informed Mr. Marin that this problem, unless immediately resolved, needed to be raised to the State Department level. Mr. Rubinstein and his staff were eventually able to adequately address this issue with Mexico.

Mr. Rubinstein then asked permission to discuss item 8.D.1. – Legislation, Senate Bill 3. Mr. Rubinstein stated that Senate Bill 3 was now House Bill 3, and that it picked up Article 1 of Senate Bill 3. He wanted to make sure Environmental Flows were included as well as a stipulation that any recommendation that was put forth and accepted did not in any way damage or hinder the ability of the U.S. to have a water accounting process that was established by treaty, minute order, or court order. Upon conclusion of discussion **Mr. Jimmie Steidinger made a motion to authorize the Board to write a letter of support to modify House Bill 3 as it related to the Rio Grande River; said letter was to be sent to both houses of legislature. Mr. Joe Barrera seconded the motion and upon a vote, the motion carried unanimously.**

President Darling then moved back to item 6. – Status Reports.

Regarding item 6.A. – Local Fund Contribution there were no new contributions to report.

Regarding item 6.B. – Financial Report, President Darling recognized Mr. Ken Jones, who detailed the LRGVDC Administrative Expenses that require Board approval. **Mr. Jimmie Steidinger made a motion to approve the LRGVDC's Administrative expenses and the Fernandez Group, Inc. expenses. Mr. Joe Barrera seconded the motion, and upon a vote the motion carried unanimously.**

Regarding item 6.C. – Report from Rio Grande Regional Water Planning Group (RGRWPG), this information was related under item 5.

Regarding item 6.D. – Report from the First Rio Grande Regional Water Authority Economic Development Corporation (FRGRWAEDC), subtopic 1. – Consider Certificate of Resolution; and Resolution Approving an Agreement by the FRGRWAEDC to Issue Bonds for RGV Sugar Growers, Inc. and the Bond Resolution Providing for the Issuance of Such Bonds; President Darling informed the Board that the FRGRWAEDC Board of Directors and the Hidalgo

County Commissioners' Court had approved the bond issue for \$26.5 Million. President Darling suggested that a press release on this project would be a good idea in order to make the region aware of the project, and to advertise the fact that the FRGRWAEDC was able to provide an alternate funding method for such projects. **Mr. Jimmie Steidinger made a motion for approval of the Certificate of Resolution; and Resolution Approving an Agreement by the FRGRWAEDC to Issue Bonds for RGV Sugar Growers, Inc. and the Bond Resolution Providing for the Issuance of Such Bonds, as well as to authorize Ms. Linda Fernandez, Fernandez Group, Inc. to issue a press release regarding this bond project. Mr. Wayne Halbert seconded the motion and upon a vote, the motion carried unanimously.**

Regarding item 6.E. – RGRWA Legislation, sub-topic 1. – Consider Resolution of Support. Mr. Wayne Halbert was recognized and informed the Board that the Conference, as written in the legislation included other entities as well as the Irrigation Districts, which was not exactly as the Board had proposed. Mr. Halbert did not anticipate a problem with this change as the Board would determine who was eligible for the Conference. Mr. Tomas Rodriguez requested that the Board write a letter to the various elected officials of the City of Laredo inviting them to become a member of the Board. President Darling stated that as the legislation was written the directors from Cameron, Hidalgo, Starr, Willacy and Zapata all had to be residents of the largest city in their respective county, but because Webb County held water rights and had a Certificate of Convenience and Necessity, the Webb County director would not have to be a resident of the City of Laredo. The President suggested that a letter could be written to the City of Laredo informing them of an opportunity for a seat on the Board as a Representative of the Public or from the Municipal Class should they care to pursue either one. Mr. Rodriguez stated that he would continue discussions with the Officials from the City of Laredo, and no action was taken. Upon conclusion of discussion **Mr. Jimmie Steidinger made a motion to approve the Resolution of Support, a copy of which is made part of these minutes. Mr. Tomas Rodriguez seconded the motion and upon a vote, the motion carried unanimously.** Mr. Ken Jones added that a resolution of support for the RGRWA legislation was scheduled to come before the Lower Rio Grande Valley Development Council Board of Directors for consideration at their February 22, 2007 meeting.

Upon conclusion of action on item 6.E.1., President Darling moved to item 7. – Consider Website Expansion RE: Water Market (Tabled at the January 16, 2007 meeting) **Mr. Joe Barrera made a motion to remove this item from the table. Mr. Ed Guerra seconded the motion and upon a vote, this item was removed from the table.** President Darling reminded the Board that at the last meeting a decision was made not to charge for water market transactions. Mr. Ken Jones was recognized and informed the Board that as requested at the last meeting, in the binders was a definition of Class A & B Rights, provided by the TCEQ Watermaster's office, available to post on the Water Market website; and a revision of that web page could possibly be available for Board consideration at the next meeting. President Darling suggested an informational posting for Class B Water Right owners regarding what was involved with relationship to that title could also be posted. Mr. Carlos Rubinstein was recognized and informed the Board that information was only pertinent when cancellations were planned; but that when cancellations were foreseen, that the TCEQ Watermaster's office could provide that information, or possibly a link on the website. No action was taken.

Upon conclusion of discussion on item 7, the President then moved to item 8. – Committee Reports.

Regarding item 8.A. – Community Outreach was covered under item 5.

Regarding item 8.B. – Finance and Planning, there was nothing new to report.

Regarding item 8.C. – Personnel and Professional Services, there was nothing new to report.

Item 8.D. Legislation, subtopic 1. – Senate Bill 3, was previously discussed.

Item 8.E. – El Morillo Drain, this item had been previously discussed.

President Darling then moved to item 9. – New or Old Business. There being no New or Old Business to discuss the meeting was adjourned at 10:34 a.m.

Jim Darling, President, RGRWA

ATTEST:

Joe Barrera, Secretary-Treasurer, RGRWA