

MINUTES

RIO GRANDE REGIONAL WATER AUTHORITY (RGRWA)
BOARD OF DIRECTORS MEETING
9:00 A.M. – WEDNESDAY, NOVEMBER 18, 2009
LRGVDC TRANSPORTATION CENTER BOARD ROOM
510 S. PLEASANTVIEW DRIVE, WESLACO, TX

PRESIDING: JIM DARLING, PRESIDENT

The Rio Grande Regional Water Authority (RGRWA) Board of Directors held a meeting at 9:00 a.m. on Wednesday, November 18, 2009 at the LRGVDC Transportation Center Board Room in Weslaco, Texas. In attendance were:

RGRWA Board Members

President Jim Darling, Hidalgo County
Vice President Sonia Lambert, Irrigation Dist.
Secretary-Treasurer Joe Barrera, Irrigation Dist.
Ms. Karran Westerman, Zapata County
Mr. Fitzgerald Sanchez, Webb County
Mr. John Bruciak, Cameron County
Mr. Wayne Halbert, Irrigation Districts
Mr. Paul Heller, Irrigation Districts
Mr. Joe Pennington, Irrigation Districts
Mr. Jo Jo White, Irrigation Districts
Mr. Sonny Hinojosa, Irrigation Districts
Mr. Brian Macmanus, Water Supply Corporation
Mr. Roel Rodriguez, Municipal
Mr. D.V. Guerra, Public

Others

Mr. Victor Morales, LRGVDC
Mr. William R. Lewis, Halff Associates
Mr. Tom Mountz, Espey Consultants
Mr. Wes Birdwell, Halff Associates
Mr. Robert Saenz, Halff Associates
Mr. Donato Medina, Jr., LRGVDC Board
Mr. Richard Seitz, Dannenbaum
Ms. Terrie Salinas, LRGVDC
Ms. Gloria Banda, LRGVDC
Ms. Laura De la Garza, Comite Resources
Mr. Bill Norris, NRS
Mr. Troy Allen, Delta Lake ID
Mr. Charles Browning, NAWSC
Mr. Juan Trevino, Tex Dept of Agriculture

1. Call to Order & Roll Call

President Jim Darling called the meeting to order at 9:04 a.m. and announced that a quorum was present.

2. Consider Approval of October 7, 2009 Meeting Minutes

Mr. Joe Pennington made a motion for approval of the minutes as presented. Mr. D. V. Guerra seconded the motion, and upon a vote the motion carried unanimously.

3. Public Comment

No one had signed up for Public Comments and President Darling moved to the next item.

4. Consider Recommendation from Regional Drainage Work Group RE: Selection of Consultant for Implementation of Regional Economic Adjustment Plan for Building Disaster Resilient Communities

President Darling stated that it was his understanding, as was revealed to him yesterday that the RGRWA was no longer the grantee agency for the Building Disaster Resilient Communities grant. The President said that after reviewing previous minutes and other documentation all indications were that the RGRWA was the grantee agency; and at the October meeting this Board agreed to extend the RFQ period and somewhere between then and now the RGRWA was no longer the grantee agency. That being stated, the President suggested not making a recommendation to the LRGVDC Board of Directors; and stated since the LRGVDC will be the grantee that their Board of Directors should handle this recommendation.

Mr. Ken Jones was recognized and stated that the LRGVDC Board of Directors did not intentionally become the grantee, and that he too had reviewed the previous RGRWA minutes and thought that staff had presented or made this information known to both the RGRWA and LRGVDC Boards of Directors. Mr. Jones stated that apparently staff's efforts were insufficient and apologized for this miscommunication. Mr. Jones stated that it was originally intended for the RGRWA to be the applicant and the application was sent to the EDA as such; however the EDA changed it to the LRGVDC.

President Darling stated that Senator Lucio would probably be very surprised about this change in grantee since, 1) the Senator backed the RGRWA to be the Regional Board for projects such as this; 2) the stake holders in this project in Cameron County are the irrigation districts and the LRGVDC Board of Directors has only two members representing irrigation districts while fully half the RGRWA Board members represent irrigation districts, so the RGRWA is the logical entity for this project; 3) the LRGVDC was going to be the administrative agent for this grant and if the EDA does not have confidence in the RGRWA being the administrative agent then it says a lot about this Board and the confidence it has in this Board.

Ms. Sonia Lambert stated she would be willing to meet with Senator Lucio on this matter. Ms. Lambert stated she was extremely disappointed that it has come to this point. It was her understanding that projects such as the Building Disaster Resilient Communities grant was the reason this is a *regional* authority and if the RGRWA *has* no authority as a regional authority then she questions the need for the RGRWA to exist.

Mr. Wayne Halbert stated he would like to see the EDA notification indicating that the RGRWA was not the grantee. Mr. Halbert suggested President Darling write a letter to the EDA explaining that the RGRWA was selected by the people, by the legislature, members were appointed by the governor and entities in the Rio Grande Valley to represent the water and drainage issues in the Rio Grande Valley. Mr. Halbert stated that the RGRWA could easily get letters from the state senators, state representatives and the Governor of Texas stating that the RGRWA is the entity that should be concerned with the water issues in the Rio Grande Valley. Mr. Halbert stated that there was nothing that could be done regarding this current situation and expressed his extreme disappointment for it to have happened.

At the conclusion of discussion President Darling reminded the Board that the agenda item was to consider the recommendation from the Regional Drainage Work Group on the consultant selection for the project and asked for a consensus to make that recommendation or not; the consensus was to not make a recommendation since ultimately the LRGVDC Board of Directors had been delegated that task.

5. Discussion RE: Future Projects

President Darling stated that the Board had previously discussed exploring the possibility of sponsoring an educational forum and asked if there was any further information on that topic. There being none the president moved to the next item. This item will remain on the agenda for future consideration.

6. Status Reports

A. Report from TCEQ Watermaster

Mr. Erasmo Yarrito was recognized and reported the IBWC statistics on water deliveries from Mexico and on the Mexican and U.S. Reservoirs. Mr. Yarrito informed the Board that the Palmer Drought Index indicated that due to recent rains the Rio Grande Valley is no longer

experiencing "Exceptional Drought".

TCEQ staff recently met with State Representative Eddie Lucio III and representatives from different entities to coordinate a Valley Environmental Summit in September 2010 with water as the main topic of the summit.

Mr. Yarrito reported that staff was working on installing two monitors in El Morillo Drain, one above and one below the spillway. These sites will be manned by TCEQ and IBWC staff in coordination with staff from Mexico. This project is moving quickly; however staff is waiting to determine if this project falls under Minute Order 289 for water quality. If it does not, staff will have to wait for a minute order to be approved before this project can be completed; the proposed deadline is spring 2010.

Mr. Yarrito provided an update from Mr. Herman Settemeyer regarding updating the Water Availability Model (WAM) and stated that TCEQ has decided to pursue this project.

B. Report from IBWC

No representative from IBWC was present and no report was available at this time.

C. Report from Rio Grande Regional Water Planning Group

RGRWPG Chairman, Mr. Glenn Jarvis was unable to attend; however Mr. Bill Norris, NRS Consulting Engineers was recognized and informed the Board that the Group was in the main round of planning and NRS staff would work with LRGVDC staff to develop an amendment to the contract for RGRWA funding of the San Felipe Springs task.

7. Committee Reports

A. Community Outreach

There was no new information to report.

B. Finance and Planning

1. Financial Report

Ms. Debby Morales reported that as of October 31, the Board had a balance of \$188,859.48 and staff was requesting approval of current monthly expenses in the amount of \$760.81. ***Ms. Sonia Lambert made a motion for approval of payment of the current expenses as presented. Mr. John Bruciak seconded the motion, and upon a vote the motion carried unanimously.***

2. Status of Assessments

Mr. Joe Barrera was recognized and informed the Board that so far 2010 assessments in the amount of \$37,986.53 had been received; and 2009 assessments in the amount of \$94,001.31 had been received with a remaining balance of \$3,069.72 yet to be collected for 2009. Mr. Barrera encouraged the Board to note which entities had outstanding balances and to make reminder calls.

C. Personnel and Professional Services

1. Consider Approval RE: 2010 WaterPR Agreement for Professional Services

Ms. Sonia Lambert made a motion for approval of the Agreement as presented. Mr. Joe Barrera seconded the motion, and upon a vote the motion carried unanimously.

D. Legislation

There was no new information to report at this time.

E. El Morillo Drain

1. Tour of Site

A slide show of photographs from the tour was shown and narrated by President Darling and Mr. Jones.

2. Status of County Reimbursements

Mr. Jones reported that Willacy County and Cameron County had reimbursed the Board for their portions of the Operation and Maintenance costs for El Morillo Drain and Hidalgo County Commissioner's Court had approved payment of their share.

8. Discussion and Possible Action RE: Meeting Schedule

It was the consensus of the Board to schedule the next meeting for Wednesday, January 6, 2010.

9. Adjourn

There being no further business to come before the Board, the meeting was adjourned at 10:01 a.m.

Jim Darling, President, RGRWA

ATTEST:

Joe Barrera, Secretary-Treasurer, RGRWA