

MINUTES OF THE  
TEXAS WATER DEVELOPMENT BOARD  
BOARD MEETING  
March 5, 2024 – 9:30 A.M.

Chairwoman Brooke T. Paup called to order the meeting of the Texas Water Development Board at 9:38 a.m. The meeting was held at 1700 N. Congress Avenue, Stephen F. Austin Building, Room 170, and through GoToWebinar in Austin, Texas. In addition to Chairwoman Paup, Director George B. Peyton V, and Director L'Oreal Stepney were in attendance, and a quorum was present.

The General Counsel announced the items for consideration:

1. DISCUSSION REGARDING OUTREACH EFFORTS AND ACTIVITIES BY THE BOARD.

No action was taken on this item.

2. CONSIDER APPROVING BY RESOLUTION THE EXECUTION OF A FUNDS MANAGEMENT AGREEMENT FOR THE TEXAS WATER FUND. Georgia Sanchez, Office of Finance, presented this item.

Director Peyton moved to adopt the proposed resolution authorizing execution of the Funds Management Agreement for the Texas Water Fund, as recommended by the Executive Administrator.

The motion was seconded by Director Stepney; and it passed unanimously.

3. CONSIDER APPROVING BY RESOLUTION A DELEGATION OF AUTHORITY TO THE EXECUTIVE ADMINISTRATOR AND THE DEVELOPMENT FUND MANAGER TO PREPAY STATE MATCH FUNDS IN THE DEVELOPMENT FUND II. Georgia Sanchez, Office of Finance, presented this item.

Director Stepney moved to adopt the proposed resolution to delegate authority to the Executive Administrator and the Development Fund Manager to prepay state match funds in the Development Fund II, as recommended by the Executive Administrator.

The motion was seconded by Director Peyton; and it passed unanimously.

4. CONSIDER AUTHORIZING THE PUBLICATION OF A NOTICE OF INTENT TO REVIEW RULES IN 31 TEXAS ADMINISTRATIVE CODE CHAPTER 355. Kendal Kowal, Office of General Counsel, presented this item.

Director Peyton moved to authorize the publication of a notice of intent to review rules in 31 Texas Administrative Code Chapter 355, as recommended by the Executive Administrator.

The motion was seconded by Director Stepney; and it passed unanimously.

5. CONSIDER AUTHORIZING THE PUBLICATION OF A NOTICE OF INTENT TO REVIEW RULES IN 31 TEXAS ADMINISTRATIVE CODE CHAPTER 356. Alexis Lorick, Office of General Counsel, presented this item.

Director Stepney moved to authorize the publication of a notice of intent to review rules in 31 Texas Administrative Code Chapter 356, relating to regional water planning, as recommended by the Executive Administrator.

The motion was seconded by Director Peyton; and it passed unanimously.

6. CONSIDER AUTHORIZING THE PUBLICATION OF AN ADOPTION OF A REVIEW OF RULES IN 31 TEXAS ADMINISTRATIVE CODE CHAPTER 363. Marshall Walters, Office of General Counsel, presented this item.

Director Peyton moved to authorize the publication of an adoption of a review of rules in 31 Texas Administrative Code Chapter 363.

Director Stepney seconded; and it passed unanimously.

7. CONSIDER AUTHORIZING THE PUBLICATION OF AN ADOPTION OF A REVIEW OF RULES IN 31 TEXAS ADMINISTRATIVE CODE CHAPTERS 371 AND 375. Marshall Walters, Office of General Counsel, presented this item.

Director Stepney moved to authorize publication of an adoption of a review of rules in 31 Texas Administrative Code Chapters 371 and 375, as recommended by the Executive Administrator.

The motion was seconded by Director Peyton; and it passed unanimously.

8. CONSIDER AUTHORIZING THE PUBLICATION OF AN ADOPTION OF A REVIEW OF RULES IN 31 TEXAS ADMINISTRATIVE CODE CHAPTER 367. Alexis Lorick, Office of General Counsel, presented this item.

Director Peyton moved to authorize the publication of an adoption of a review of rules in 31 Texas Administrative Code Chapter 367, as recommended by the Executive Administrator.

The motion was seconded by Director Stepney; and it passed unanimously.

9. CONSIDER ADOPTING THE STATE FISCAL YEAR 2024-2025 FLOOD INFRASTRUCTURE FUND INTENDED USE PLAN. Sara Sopczynski, Water Supply & Infrastructure, presented this item.

Director Stepney moved to adopt the State Fiscal Year 2024-2025 Flood Infrastructure Fund Intended Use Plan, as recommended by the Executive Administrator.

The motion was seconded by Director Peyton; and it passed unanimously.

10. CONSIDER APPROVING THE 2023 AMENDED REGIONAL FLOOD PLANS FOR REGIONS 1 THROUGH 15. Reem Zoun, Office of Planning, presented this item.

Director Peyton moved to approve the 2023 Amended Regional Flood Plans for Regions 1 through 15, as recommended by the Executive Administrator.

The motion was seconded by Director Stepney; and it passed unanimously.

11. CONSIDER APPROVING BY RESOLUTION A REQUEST FROM THE CITY OF LEONARD (FANNIN COUNTY) FOR \$8,480,000 IN FINANCIAL ASSISTANCE CONSISTING OF \$4,325,000 IN FINANCING, AND \$4,155,000 IN PRINCIPAL FORGIVENESS FROM THE DRINKING WATER STATE REVOLVING FUND FOR PLANNING, DESIGN, AND CONSTRUCTION OF A WATER SYSTEM IMPROVEMENTS PROJECT. Joe Koen, Water Supply & Infrastructure, presented this item.

Director Stepney moved to adopt the proposed resolution for the City of Leonard for financial assistance from the Drinking Water State Revolving Fund for planning, design, and construction of a water system improvements project, as recommended by the Executive Administrator.

The motion was seconded by Director Peyton; and it passed unanimously.

12. CONSIDER APPROVING BY RESOLUTION A REQUEST FROM THE CITY OF HIDALGO (HIDALGO COUNTY) FOR \$13,715,000 IN FINANCIAL ASSISTANCE FROM THE DRINKING WATER STATE REVOLVING FUND, CONSISTING OF \$4,065,000 IN PRINCIPAL FORGIVENESS AND \$9,650,000 IN FINANCING, FOR PLANNING, ACQUISITION, DESIGN, AND CONSTRUCTION OF A WATER SYSTEM IMPROVEMENTS PROJECT.

Item number 12 was tabled.

13. PRESENTATION AND RECOGNITION BY PROGRAM AREAS FOR OUTSTANDING EMPLOYEE ACHIEVEMENTS.

No action was taken on this item.

14. BRIEFING AND SOLICITATION OF COMMENTS REGARDING THE IMPLEMENTATION OF THE TEXAS WATER FUND. Kathleen Ligon, Office of Executive Administration, presented this item. Also addressing the Board via webinar was Shane Saum, Councilman, Lago Vista City Council Place 1 and Jennifer Walker, Director, Texas Coast and Water Program, National Wildlife Federation.

No action was taken on this item.

15. The Board will receive comments from the public on any matters within the jurisdiction of the TWDB with the exception of matters which are subject to the ex parte prohibition found in Texas Government Code Section 2001.061.
16. PRESENTATION RECOGNIZING JEFF WALKER'S YEARS OF SERVICE AT THE TEXAS WATER DEVELOPMENT BOARD. Mr. Steve Bresnen, representing North Harris County Regional Water Authority and El Paso County, and Mr. Michael Roberts, representing Council of Infrastructure Financing Authorities (CIFA), both addressed the Board in appreciation of Jeff Walker and his years of service. Jessica Peña, Deputy Executive Administrator, presented Mr. Walker with an award from CIFA for outstanding public service. Chairwoman Paup moved to accept the resignation of Jeff Walker; Director Stepney seconded and the motion passed unanimously.
17. THE BOARD MAY ADJOURN INTO EXECUTIVE SESSION AND CONDUCT A CLOSED MEETING TO CONSIDER ANY ITEM ON THIS AGENDA IF A MATTER IS RAISED THAT IS APPROPRIATE FOR THE BOARD TO CONDUCT A PRIVATE CONSULTATION WITH ITS ATTORNEY ON A MATTER IN WHICH THE DUTY OF THE ATTORNEY TO THE GOVERNMENTAL BODY UNDER THE TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT OF THE STATE BAR OF TEXAS CLEARLY CONFLICTS WITH CHAPTER 551 OF THE TEXAS GOVERNMENT CODE. THE BOARD MAY CONDUCT A CLOSED MEETING TO RECEIVE LEGAL ADVICE AND DISCUSS PENDING OR CONTEMPLATED LITIGATION, SETTLEMENT OFFERS, OR THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE OR DISMISSAL OF SPECIFIC BOARD EMPLOYEES, INCLUDING THE EXECUTIVE ADMINISTRATOR AND GENERAL COUNSEL, AS PERMITTED BY SECTIONS 551.071 AND 551.074, THE TEXAS OPEN MEETINGS ACT, CODIFIED AS CHAPTER 551 OF THE TEXAS GOVERNMENT CODE. THE BOARD MAY ALSO MEET IN OPEN MEETING TO TAKE ACTION ON LEGAL OR PERSONNEL MATTERS CONSIDERED IN THE CLOSED MEETING AS REQUIRED BY SECTION 551.102 OF THE OPEN MEETINGS ACT, CHAPTER 551 OF THE GOVERNMENT CODE. THE BOARD MAY CONDUCT A CLOSED

MEETING TO CONSIDER AND DISCUSS FINANCIAL MATTERS RELATED TO THE INVESTMENT OR POTENTIAL INVESTMENT OF THE BOARD'S FUNDS, AS PERMITTED BY SECTION 6.0601(A) OF THE TEXAS WATER CODE. THE BOARD MAY ALSO MEET IN OPEN MEETING TO TAKE ACTION ON A FINANCIAL MATTER DISCUSSED IN THE CLOSED MEETING AS REQUIRED BY SECTION 6.0601(B) OF THE TEXAS WATER CODE.

The open session of the Texas Water Development Board recessed at 11:25 a.m.

After an Executive Session of the Board, the Chairwoman called the meeting of the Texas Water Development Board back into session at 2:40 p.m. There being no further business for the Board, the meeting was adjourned at 2:40 p.m.

APPROVED and ordered of record this, the 5th day of March 2024.

TEXAS WATER DEVELOPMENT BOARD

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Brooke T. Paup, Chairwoman

DATE SIGNED: \_\_\_\_\_

ATTEST:

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Jeff Walker, Executive Administrator