

MINUTES

**RIO GRANDE REGIONAL WATER PLANNING GROUP (RGRWPG) (REGION "M")
MEETING @ 10:30 A.M. – WEDNESDAY MARCH 28, 2007
MISSION CITY HALL – COMMISSIONERS MEETING ROOM
1201 E. 8TH STREET – MISSION, TEXAS**

PRESIDING: GLENN JARVIS, CHAIRMAN

Chairman Glenn Jarvis called the meeting to order at 10:35 a.m., and announced that the meeting had been posted as required by statute, and then stated that a quorum was present. The following voting members were in attendance:

Board Members

Glenn Jarvis, Chairman, Law Offices
Jim Darling, McAllen City Attorney
Mary Lou Campbell, Secretary, Sierra Club
Robert Fulbright
Roberto Gonzalez
John Bruciak, Brownsville PUB
Karen Chapman
Charles W. Browning, Jr.
Joe Guerra
James R. Matz
Ray Prewett, Texas Citrus Mutual
Xavier Villarreal
Commissioner John Wood, Cameron County

Category

Other
River Authorities
Public
Agriculture
Municipalities
Municipalities
Environmental
Water Utilities
Electric Generating Utility
Others
Agriculture
Small Business
Counties

The following members were not in attendance:

Judge Jose Aranda, Maverick Co.
Sonny Hinojosa, HCID #2
Sonia Kaniger, CCID #2
Donald K. McGhee
Adrian Montemayor
Garry Whittington

Counties
Water Districts
Water Districts
Small Business
Municipalities
Industries

Chairman Jarvis then moved to item 2. – Consider Approval of August 31, 2006 Meeting Minutes. ***Mr. Roberto Gonzalez made a motion to approve the minutes as presented. Mr. Xavier Villarreal seconded the motion, and upon a vote the motion carried unanimously.***

Upon conclusion of action on item 2, the Chairman moved to item 3. – Hear Public Comment. As there were no Public Comments the Chairman then moved to item 4. – Election of Officers. Chairman Jarvis opened the floor for nominations. ***Mr. John Bruciak made a motion to keep the same slate of officers who held office in 2006, essentially nominating Mr. Glenn***

Jarvis, Chairman; Mr. Jim Darling, Vice Chair; Ms. Mary Lou Campbell, Secretary; Robert E. Fulbright and Mr. Roberto Gonzalez. Mr. Chuck Browning seconded the motion and upon a vote, the motion carried unanimously.

Upon conclusion of the Election of Officers the Chairman then moved to agenda item 5. – Consider Recommendation from Executive Committee RE: Voting Member in the Electric Generating Utility Category. Chairman Jarvis introduced Mr. Joe Guerra to the Group and explained that the Executive Committee had approved his nomination. **Mr. James Matz made a motion to ratify the Executive Committee’s recommendation to have Mr. Joe Guerra represent the Electric Generating Utility Category for the Group. Commissioner John Wood seconded the motion and upon a vote, the motion carried unanimously.**

Upon conclusion of action on item 5, Chairman Jarvis moved to item 6. – Presentation of Thesis RE: Water use Trends and Future Water Planning Strategies in Region M. The Chairman then announced that Ms. Dina Sosa was unable to attend due to an unexpected family emergency and that this presentation would be rescheduled at a later date.

The Chairman then moved to item 7. – Status Report and Possible Action RE: TWDB Contract and gave the following summary of the progress of the contract. The Group was confident that the second round of planning would go well, even though TWDB changed the process from the previous year by having each Region submit individual projects thought necessary for their region; this Group made priorities in six (6) different categories. All applications were submitted September 2006, but TWDB experienced several delays in the decision making process. The Region M Group had not met since August 2006 as there was no new information on the contract to act upon. It was the Chairman’s understanding that TWDB staff reviewed applications from all the Regions then imposed, using certain criterion, what the Board saw as priorities from a state-wide prospective. The Chairman expected all six of the Group’s projects would be viewed favorably and did not realize the drastic cuts TWDB staff had actually made. At that point, Chairman Jarvis requested a copy of the contract from TWDB staff so the Group could review it; however, he was told they were still working on the contracts. Staff’s recommendations were submitted to the Board in December 2006 and Board Members had questions regarding the dollar amounts, because some Regions were granted considerably more than others, which the Board did not approve of. A workshop meeting was scheduled for January, but a severe ice storm in Austin postponed the meeting a couple of weeks. Staff made their recommendations at the second scheduled workshop and apparently explained their rationale for their recommendations to the satisfaction of the Board. There have been several conference calls between the Group’s Executive Committee and TWDB to identify in more detail what this Group’s Scope of Work was on each of the proposed projects, quite possibly staff was simply behind schedule in finalizing the contracts, and it will perhaps be May before a contract is received from the Board.

Chairman Jarvis then asked Mr. Jake White, NRS Consulting Engineers to pass out copies of the Summary of the Scope of Work submitted to TWDB then reviewed each task. The Chairman stated that the Group had asked for \$440,000, but were awarded only \$167,000 most likely due to the dollar amount being presented with a “TWDB Funding” column along side a “Local Match” column. The purpose of this format was to take advantage that there were local

matching funds available, but the Board used the smaller local match amount instead of the "total" amount. Ms. Kathleen Ligon, TWDB stated that a \$6,000 deficit in administrative tasks was due to TWDB Staff error, and every effort would be made to put that amount back into the contract. Vice Chair Jim Darling asked how the Scope of Work evolved from what the Group discussed in August to what the TWDB approved and stated that they were completely different versions.

Chairman Jarvis responded that what he believed to have happened was that when the Board began work on the Region M contract they did not find sufficient detail regarding what exactly was to be accomplished, thus staff could not justify awarding dollars for tasks unless they could identify that task's goal. For instance, task 4 requires a review of the WAM and the language in the Group's proposal suggested changing the WAM; but, the WAM cannot be changed without TWDB approval, so verbal issues existed in the Scope. Ms. Carolyn Brittin and Mr. Bob Brandes made an effort to develop verbiage in more detail to put into the contract, and this effort entailed several different conversations. So in answer to Vice Chairman Darling's question, what the Group initially submitted, in the opinion of the TWDB, was not detailed enough. The Chairman advised the Group that the next round of funding starts in September 2007. At that time the Group can request funding for projects that did not get funded during this round.

Chairman Jarvis then began discussion on task 2 of the Scope of Work, Classify Irrigation Districts as WUGs or WWPs and explained that the idea behind classifying Irrigation Districts as WUGs was to provide funding for any areas of opportunity individual Irrigation Districts might have. TWDB staff did not believe that Irrigation Districts could be classified as WUGs because all of the cities and municipal suppliers are WUGs. Since the districts provide those entities raw water, classifying Irrigation Districts as WUGs could lead to duplicate analysis, or double counting, of the same water. The suggestion then would be to classify Irrigation Districts as Wholesale Water Suppliers (WWSs), but that would cause complications with TCEQ. The term "Major Water Provider" may be applicable to Irrigation Districts and would prevent water from being double counted in their process. It is more of a process issue than anything else because the Board is very sensitive that there is no doubling of water whatsoever. The Group received only half the requested funding for this task. Mr. White asked Ms. Ligon if TWDB expected the group to accomplish all eight items in task 2 with half the funding. Ms. Ligon answered that it was up to the Group which items were accomplished with the funding provided. Chairman Jarvis stated that Ms. Brittin was satisfied with task 2 and would include it in the contract.

Chairman Jarvis then moved on to task 3 – Analyze Results of Completed Demonstration Projects, and noted that that item was fully funded. Task 4 – Expanded groundwater and surface water modeling/analysis received \$0 funding. Ms. Ligon speculated that this item did not get funded because of the technicality of the issue. TWDB felt that this item was more complicated and costly than indicated in the Scope. Task 5 – Aquatic weed study received no funding, but no funding was requested; only \$10K in local match was indicated in the Scope of Work. Task 6 – Regional Mapping and Jurisdictional Overlap Clarification received \$0 funding most likely because staff probably is of the opinion that this would be a duplication of work. Mr. Ray Prewitt suggested that this may be a good project for the RGRWA. Task 7 – WMS Implementation Study received \$0 funding. Ms. Ligon suggested that the way the projects were scored that the Groups ranking was lower than others, which probably weighed into the decision not to fund this item; it was not because the project was ineligible. The Chairman stated that the bottom line was that the Group received \$167K in funding. ***Vice-Chairman Jim Darling made***

a motion to Authorize Chairman Jarvis to write a letter acknowledging the TWDB final proposal for the research and planning fund application process for 2006, that emphasizes the Group's disappointment in not funding certain projects that were listed, emphasized the importance of those projects and hopefully for future consideration, that emphasized our uniqueness in Region M relating to our agricultural water usage for this area in any research and planning funding. Mr. James Matz seconded the motion and upon a vote, the motion carried unanimously.

The Chairman stated that when the contract is received the Group should be in a position to start work; and that it would be prudent to have authorization to assign the Executive Committee to approve or disapprove the contract when it is ready, should there be changes from what was previously discussed by the Group. ***Mr. Robert Gonzalez made a motion to authorize the Executive Committee to approve or disapprove the TWDB contract if needed when it is received. Mr. Charles Browning seconded the motion and upon a vote, the motion carried unanimously.***

Upon conclusion of action on the TWDB Contract Chairman Jarvis moved to item 8. – Reports from Federal and State Agencies. Regarding item 8.A. – TWDB Ms. Ligon was recognized and informed the Group that SB3 passed the previous day. Regarding item 8.B. – Mr. Rick Reyes was recognized and informed the Board that a Citizens Forum meeting was scheduled for April 4, 2007 at the IBWC office. Regarding item 8.C. – TCEQ Water Master, Mr. Joey Mejia was recognized and read the statistical report from the Watermaster's office. Regarding item 8.D. – TPWD, The Chairman welcomed Mr. Mark Lingo, who assumed the Liaison seat vacated by Mr. Randy Blankenship. Mr. Lingo introduced himself and stated that there was nothing new to report at this time.

Chairman Jarvis then moved to item 9. – Status Reports. Regarding item 9.A.1. – Reports from Liaisons with Region E, J, L & N the Chairman stated that the other Groups were going through the same Process as Region M and that Region E was also displeased about the funding issues regarding their contract.

The Chairman then moved to item 10 – Discussion and Possible Action RE: Meeting Schedule. Mr. Ken Jones suggested that the next meeting date be announced pending the outcome of the contract and/or new information regarding SB3.

Chairman Jarvis then moved to item 10 – New or Old Business. As there was no New or Old Business to discuss the Chairman then adjourned the meeting at 12:08 p.m.

Glenn Jarvis, Chairman

Mary Lou Campbell, Secretary