

Study Commission on Region C Water Supply

MINUTES OF AN OPEN PUBLIC MEETING

November 20, 2009

The Study Commission on Region C Water Supply (Study Commission) met in an open public meeting on Friday, November 20, 2009, at 1:00 P.M. The meeting was held in the McDermott Library at the University of Texas at Dallas in Richardson, Texas. Notice of the meeting was legally posted.

I. CALL TO ORDER

Representative Stephen Frost called the meeting to order at approximately 1:10 P.M.

II. WELCOME/INTRODUCTION

The following members were in attendance:

The Honorable Stephen Frost
The Honorable Jodie Laubenberg

Mr. Thomas Duckert
Mr. Richard LeTourneau
Mr. Jim Parks

The Honorable Jerry Madden attended as Senator Florence Shapiro's previously designated alternate.

Texas Water Development Board (TWDB) staff attending included: Carolyn Brittin and Temple McKinnon. David Harkins attended as a representative of Espey Consultants.

The registration lists signed by guests in attendance are attached.

III. ACTION ITEMS FOR CONSIDERATION

a. ADOPTION OF MINUTES OF SEPTEMBER 24, 2009 MEETING

On a motion by Representative Jodie Laubenberg and a second by Tom Duckert, the Study Commission unanimously adopted the minutes from the September 24, 2009, meeting.

b. REVIEW AND CONSIDER APPROVAL OF THE PHASE I DRAFT REPORT AS PREPARED BY ESPEY CONSULTANTS, INC.

Representative Frost called upon Dr. David Harkins of Espey Consultants, Inc., to make a presentation on the progress of the Phase I draft report. Dr.

Harkins discussed the changes Espey made to the draft report, focusing on format and readability.

Espey ranked each water source according to the achievability of closing identified data gaps. These rankings were based on the cost and time of obtaining information to close the gaps, as well as other factors.

Dr. Harkins identified Wright Patman and Lake O' the Pines as the highest ranked water sources. He discussed the data gaps for each water source, as well as the challenges associated with filling each gap.

Representative Frost called on Walt Sears, Administrator of the Northeast Texas Municipal Water District (NETMWD), to discuss a hydrographic survey currently being conducted to answer planning gaps for Lake O' the Pines. TWDB contracted the survey with NETMWD and North Texas Municipal Water District (NTMWD); the project is in cooperation with the U.S. Army Corps of Engineers. Mr. Sears indicated that the survey will be complete by late spring, and available for the Commission to use as part of its final report.

Mr. Duckert and Mr. Parks each confirmed that the Phase I draft report had achieved much progress. They indicated the continued need to check format consistencies and make technical adjustments. Because of this, they recommended that the Commission wait to approve the draft, and keep it as a work in progress.

On a motion by Representative Laubenberg and a second by Representative Jerry Madden, the Commission unanimously instructed Mr. Duckert and Mr. Parks to continue work with Espey on the Phase I draft report.

- c. REVIEW AND CONSIDER APPROVAL OF WORK FOR PHASE II CONTINGENT UPON FUNDING AVAILABILITY FROM THE WATER DEVELOPMENT BOARD (TWDB)

On a motion from Representative Laubenberg and a second by Representative Madden, the Commission unanimously authorized Mr. Duckert and Mr. Parks to work with Espey Consultants and TWDB to develop a scope of work for Phase II. As long as the scope of work fits into available funds, the Commission authorized Phase II work to commence.

- d. CONSIDER APPROVAL OF MAXIMUM NOT-TO-EXCEED ENGINEERING FEE FOR PHASE II AS AUTHORIZED BY THE STUDY COMMISSION

Because no funds remain for the Commission's work and the Commission's intent is to execute Phase II within existing funds, the Commission found no action was necessary on this item. Ms. Brittin confirmed that the action taken on item III(c) was sufficient to progress into Phase II.

- e. CONSIDER AUTHORIZING NORTH TEXAS MUNICIPAL WATER DISTRICT, CONTRACT ADMINISTRATOR, TO EXECUTE A CONTRACT AMENDMENT WITH THE TEXAS WATER DEVELOPMENT BOARD FOR GRANT FUNDS TO CARRY OUT THE LEGISLATIVE CHARGES IN SENATE BILL 3 SECTION 4.04 OF THE 80th LEGISLATIVE SESSION AND THE SCOPE OF WORK FOR PHASE II AS AUTHORIZED BY THE STUDY COMMISSION

On a motion by Representative Laubenberg, and a second by Richard LeTourneau, the Commission unanimously agreed to authorize NTMWD to execute a contract amendment with TWDB for Phase II. Mr. Duckert and Mr. Parks will notify the entire commission before they move forward on any new step of the process.

- f. CONSIDER AUTHORIZING NORTH TEXAS MUNICIPAL WATER DISTRICT, CONTRACT ADMINISTRATOR, TO EXECUTE A CONTRACT AMENDMENT WITH ESPEY CONSULTANTS, INC TO CARRY OUT THE LEGISLATIVE CHARGES IN SENATE BILL 3 SECTION 4.04 OF THE 80th LEGISLATIVE SESSION AND THE SCOPE OF WORK FOR PHASE II AS AUTHORIZED BY THE STUDY COMMISSION

On a motion by Representative Madden and a second by Mr. LeTourneau, the Commission amended the prior motion to additionally authorize NTMWD to execute a contract amendment with Espey for Phase II, if necessary.

IV. PRESENTATION FROM THE SABINE RIVER AUTHORITY (SRA) OF TEXAS

Danny "Butch" Choate made a presentation as representative of the Sabine River Authority (SRA) of Texas. He spoke of the water resources in the Sabine River Basin, and included information about each source's capacity, current availability and potential capacity.

The Commission discussed the reasons for differences in proposed amounts of water that might be available from Toledo Bend Reservoir. Discussion also centered on Toledo Bend's place in the Region C Water Plan, and the

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continuing efforts by Dallas Water Utilities, North Texas Municipal Water District, and Tarrant Regional Water District to develop agreements with SRA-Texas for water from Toledo Bend to Region C.

V. DISCUSSION/ SELECTION OF DATE, TIME, AND LOCATION OF NEXT MEETING

The Commission agreed to schedule a meeting on January 14, 2010, at a location to be determined in Region D. The meeting will take place at 1:00 PM and notice of the meeting will be legally posted with further details.

VI. PUBLIC COMMENT

Public comments were received from the following individuals:

- i. George Frost
- ii. John McConnell

VII. ADJOURN

There being no further business, the meeting of the Study Commission on Region C Water Supply adjourned at approximately 3:25 P.M.


SENATOR FLORENCE SHAPIRO
Co-Presiding Officer


REPRESENTATIVE STEPHEN FROST
Co-Presiding Officer

STUDY COMMISSION ON REGION C WATER SUPPLY

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ATTENDANCE ROSTER

November 20, 2009

	PRINTED NAME	REPRESENTING	E-MAIL ADDRESS
1	Stephen Frost	Region D	
2	Adam Whisenant	REP/D	Adam.Whisenant@tpwd.state.tx.us
3	Pick Laverre	REP/D Laverre + Frederic	rl@lf-lawfirm.com
4	MIKE HUDDLESTON	REGION D	MIKEH@COMSPEC.TX.GOV
5	Steve Mayo	REGION D	Steve.mayo@mayorfurniture.com
6	George Frost		Gfrost003@aol.com
7	Carolyn Brittin	Region C	Carolyn.Brittin@hubb.stark.tx.us
8	Carolyn C. Clingenpeel	Region C	clingenpeelg@trinityra.org
9	Ryan Whisenant	Sen Elife	ryan.whisenant@senate.state.tx.us
10	Brandy Chearing	TAF Gazette	
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ATTENDANCE ROSTER

November 20, 2009

	PRINTED NAME	REPRESENTING	E-MAIL ADDRESS
1	Walt Sears, Jr.	Northeast Texas MWD	netruwd@aol.com
2	Guillermo Rendon	Region C	info@rendonmedia.com
3	Shweta Arya	UT Dallas	rya.shweta@hotmail.com
4	Beth Choate	Sabine River Authority	vchoate@SARTX.ORG
5	J. A. Mackey	STATE REP DIST 67	jamackey@swansea.tx.gov
6	Alison Mackey	Alison Mackey	mackeya@trinitytxra.org
7	GARY SAVANU	CRIMCO	gsavanu@criadassociates.com
8	Tamar Spindler	Texas King Brazos	
9	Wayne Owen	TRWD	wayne.owen@trwd.com
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ATTENDANCE ROSTER

November 20, 2009

	PRINTED NAME	REPRESENTING	E-MAIL ADDRESS
1	Marie Martin	Rep. Stephen Frost	MARIE.MARTIN@house.state.tx.us
2	David Nabors	Landowner	
3	Sharon Nabors	landowner	
4	Gary W. Chastwood	Landowner	cheatwood@peto.com
5	Chris Ekrot	J. Stover & Co.	cekrot@jstover.com
6	John McConnell	John McConnell	JDM2@mt-vernon.com
7	Jayna Jarvis	RWRP	JJARVIS@RIVERBANDWATERRESOURCES.O
8	Temple McKinnon	TWDB	temple.mckinnon@twdb.state.tx.us
9	David Neeley	SZBA	dneeleytx@msn.com
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Please Sign IN

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ATTENDANCE ROSTER

November 20, 2009

	PRINTED NAME	REPRESENTING	E-MAIL ADDRESS
1	<i>St. Womack</i>	<i>SABA</i>	<i>_____</i>
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