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AGENDA ITEM MEMO

BOARD MEETING DATE: July 23, 2024

TO: Board Members

THROUGH: Bryan McMath, Interim Executive Administrator
Ashley Harden, General Counsel
Rebecca Trevino, Chief Financial Officer

FROM: Georgia Sanchez, Deputy Chief Financial Officer and Development Fund Manager

SUBJECT: Delegation of Authority for Texas Water Fund Administrative Costs

ACTION REQUESTED

Consider delegating to the Executive Administrator the authority to pay or reimburse reasonable and necessary administrative costs from the Texas Water Fund.

BACKGROUND

During the 88th Regular Session, the Legislature passed Senate Bill (SB) 28, Senate Joint Resolution 75, and SB 30, which created the Texas Water Fund to assist in financing water projects in Texas. The Texas Water Fund may be used to transfer money to the New Water Supply for Texas Fund, the State Water Implementation Fund for Texas, the Clean Water or Drinking Water State Revolving Funds, the Rural Water Assistance Fund, the statewide water public awareness program, the Financial Assistance Account and State Participation Account within the Texas Water Development Fund II, and to pay the necessary and reasonable expenses of the TWDB in administering the fund not to exceed two percent.

KEY ISSUES

The Executive Administrator proposes that the TWDB consider delegating authority to the Executive Administrator to pay or reimburse certain expenses related to the administration of projects and programs that utilize the Texas Water Fund through September 30, 2025. Such delegation would provide flexibility to promptly address increased workloads and other costs to mitigate potential negative impacts to timelines.

A report detailing the expenses paid or reimbursed by this delegation would be provided to the board at least annually at the end of the fiscal year.

[Our Mission](#)

Leading the state's efforts
in ensuring a secure
water future for Texas

[Board Members](#)

Brooke T. Paup, Chairwoman | George B. Peyton V, Board Member | L'Oreal Stepney, P.E., Board Member
Bryan McMath, Interim Executive Administrator

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RECOMMENDATION

The Executive Administrator recommends adoption of a resolution delegating authority to the Executive Administrator to pay or reimburse reasonable and necessary administrative costs from the Texas Water Fund.

Attachment:

1. Resolution

A RESOLUTION OF
THE TEXAS WATER DEVELOPMENT BOARD
AUTHORIZING THE EXECUTIVE ADMINISTRATOR TO PAY OR REIMBURSE
REASONABLE AND NECESSARY ADMINISTRATIVE COSTS
FROM THE TEXAS WATER FUND

(24-)

Recitals:

During the 88th Texas Legislative Session, the Texas Legislature passed Senate Bill 28, Senate Joint Resolution 75, and Senate Bill 30, implementing the Texas Water Fund, codified as Texas Water Code, Chapter 15, Subchapter H-1.

The Texas Water Fund is a special fund in the state treasury outside the general revenue fund to be administered by the Texas Water Development Board (TWDB).

The Texas Water Fund was established to transfer money to existing funds and accounts of the TWDB.

Texas Water Code § 15.504(f) authorizes the TWDB to use the fund to pay the necessary and reasonable expenses of the TWDB in administering the fund not to exceed two percent.

NOW THEREFORE, based on these considerations and findings, the TWDB finds and resolves as follows:

1. The TWDB authorizes the Executive Administrator to pay or reimburse reasonable and necessary administrative costs from the Texas Water Fund.
2. The authorization granted in this Resolution is effective July 23, 2024, and expires September 30, 2025.
3. The Executive Administrator shall report at least annually to the TWDB Board members the amounts paid or reimbursed under authority granted by this Resolution, during the period between regular meetings of the TWDB.

APPROVED and ordered of record this the 23rd day of July, 2024.

TEXAS WATER DEVELOPMENT BOARD

Brooke T. Paup, Chairwoman

DATE SIGNED: _____

ATTEST:

Bryan McMath, Interim Executive Administrator