

Study Commission on Region C Water Supply
MINUTES OF AN OPEN PUBLIC MEETING
January 12, 2009

The Study Commission on Region C Water Supply (Study Commission) met in an open public meeting on Monday, January 12, 2009, at 1:00 P.M. The meeting was held at the Texas Water Development Board in Room 1-111 the William B. Travis Building in Austin, 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 Florence Shapiro	Mr. Thomas Duckert
The Honorable Stephen Frost	Mr. Richard LeTourneau
The Honorable Jodie Laubenberg	Mr. Jim Parks

Also in attendance were Ryan Weiseman from Senator Kevin Eltife's office and Jim Boynton from Representative Mark Homer's office. Servando Esparza and Tulsi Reddy of the Senate Natural Resources Committee were also in attendance.

Texas Water Development Board (TWDB) staff attending included: Carolyn Brittin and Angela Masloff. Texas Parks and Wildlife Department (TPWD) staff attending included: Lynne Hamlin, Cyndy Loeffler and Dan Opdike. Representatives of Espey Consultants in attendance included: David Harkins and Tony Smith.

The registration lists signed by guests in attendance are attached.

III. ACTION ITEMS

a. ADOPTION OF MINUTES OF NOVEMBER 12, 2008, MEETING

On a motion by Representative Jodie Laubenberg and a second by Jim Parks, the Study Commission unanimously adopted the minutes from the November 12, 2008 meeting.

b. REVIEW AND CONSIDER APPROVAL OF ENGINEERING COST PROPOSAL FROM 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 AS

PUBLISHED ON PAGES 8838 THROUGH 8844 OF VOLUME 33, NUMBER 43, OF THE TEXAS REGISTER PUBLISHED ON OCTOBER 24, 2008

Mr. Parks gave a narrative of the negotiations he and Mr. Duckert engaged in with Epsey Consultants. Because the Study Commission currently has \$500,000 in funding, they recommended a phased approach to the implementation of the Study Commission's Scope of Work. This would allow the Study Commission to maximize its initial funding, and tailor additional work according to the amount of appropriations resulting from the 81st Legislative Session.

Phase 1 will focus on the five alternatives listed in Senate Bill 3 namely Marvin Nichols, Wright Patman, Toledo Bend, Lake Texoma, and Lake O' The Pines. Work will include the socio-economic impact analysis and study of water supply alternatives required by Senate Bill 3 (80R). Phase 1 would cost approximately \$500,000.

Phase 2a would continue the work begun in Phase 1 for the five alternates named in Senate Bill 3. Phase 2a would complete tasks 1 through 8 for these five alternatives. Phase 2b would be a much more general approach and include all alternatives included in the Region C Water Plan plus any additional alternative missed by the 2007 Water Plan. Phase 2b would also complete tasks 1 through 8 for all alternatives. If the Study Commission chose to implement Phase 1 and Phase 2b, the total cost of the study would be over \$2.3 Million. Phase 1 and Phase 2a would cost about \$1.5 Million.

The Study Commission reviewed the Legislature's appropriations process and its impact on the Scope of Work's completion. Carolyn Brittin of the TWDB confirmed that the earliest availability of additional funds would be September 1, 2009. Because Epsey anticipates completing Phase 1 by June 1, the study would experience a funding gap until 81st Legislature appropriations took effect. According to Epsey representative David Harkins, a three or four month hiatus from Study Commission work would jeopardize the Study Commission's ability to finish its work within the mandated timeframe. It would also reduce efficiency and potentially increase expenses. Ms. Brittin indicated that TWDB would attempt to fill in the gap so that work could proceed on schedule. Mr. Harkin noted that Epsey would do its part to meet the Study Commission part-way, in order to avoid any interruption in work.

On a motion by Representative Laubenberg and a second by Richard LeTourneau, the Study Commission unanimously agreed to authorize the funding of Phase 1.

Prior to voting on the motion, comments were received from the following individuals:

- i. David Nabors
 - ii. Linda Price
- c. CONSIDER AUTHORIZING NORTH TEXAS MUNICIPAL WATER DISTRICT, CONTRACT ADMINISTRATOR, TO EXECUTE A CONTRACT WITH 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 AS PUBLISHED ON PAGES 8838 THROUGH 8844 OF VOLUME 33, NUMBER 43, OF THE TEXAS REGISTER PUBLISHED ON OCTOBER 24, 2008, ON BEHALF OF THE STUDY COMMISSION ON REGION C WATER SUPPLY

On a motion by Senator Florence Shapiro, and a second by Tom Duckert, the Study Commission unanimously authorized the North Texas Municipal Water District (NTMWD) to execute a contract with the Water Development Board in order to carry out the legislative charges dictated by SB 3(80R), as outlined in the Study Commission's Scope of Work.

- d. CONSIDER AUTHORIZING NORTH TEXAS MUNICIPAL WATER DISTRICT, CONTRACT ADMINISTRATOR, TO EXECUTE A CONTRACT 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 AS PUBLISHED ON PAGES 8838 THROUGH 8844 OF VOLUME 33, NUMBER 43, OF THE TEXAS REGISTER PUBLISHED ON OCTOBER 24, 2008, ON BEHALF OF THE STUDY COMMISSION ON REGION C WATER SUPPLY AND ISSUE A NOTICE TO PROCEED

On a motion by Senator Shapiro, and a second by Representative Laubenberg, the Study Commission unanimously authorized NTMWD to execute a contract with Espey Consultants in order to carry out the legislative charges dictated by SB 3(80R), as outlined in the Study Commission's Scope of Work.

IV. DISCUSSION ITEMS

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

On a motion by Representative Laubenberg, and a second by Senator Shapiro, the Commission agreed to set its next meeting in Austin, Texas in late May or early June. Exact time and location will be determined based on the Legislature's completion of the appropriations process in the 81st Legislative Session. Notice of the meeting will be posted at the earliest possible juncture, and in compliance with Open Meetings Act requirements.

b. PUBLIC COMMENT

Public comments were received from the following individuals:

- i. George Frost
- ii. Mary Katherine Grant
- iii. David Nabors
- iv. Gary Grant

V. ADJOURN

There being no further business, the meeting of the Study Commission on Region C Water Supply adjourned at approximately 2:10 P.M.



SENATOR FLORENCE SHAPIRO
Co-Presiding Officer



REPRESENTATIVE STEPHEN FROST
Co-Presiding Officer

STUDY COMMISSION ON REGION C WATER SUPPLY
 ATTENDANCE ROSTER
 JANUARY 12, 2009

	PRINTED NAME	REPRESENTING	E-MAIL ADDRESS
1	Max Shumaker	self + SOS	MAXShumake@AOL.COM
2	George Frost	Public	Gfrost003@Aol.com
3	Monica Frost	Self	
4	Janice Bezanon	Tx Conservation Alliance	Bezanon@texas.net
5	Shirley Shumake	SOS	lshloway@crossing@aol.com
6	GARY GRANT	FAMILY - RED RIVER CO.	gary_g_75165@SBCGLOBAL.NET
7	Cindy Loeffler	Self TPWD	Cindy.Loeffler@tpwd.state.tx.us
8	DAN OPDYKE	TPWD	dan.opdyke@tpwd.state.tx.us
9	John F. Morley	Self - SOS	joro1120@aathink.com
10	Walt Sears	NETMWD	netmwd@aol.com
11	ANGELA MASLOFF	TWDR	angela.masloff@twdb.state.tx.us
12	Ryan Weisenman	Sen Elife	
13	Linda Price	Ward Timber	Linda.pricer@wardtimber.com
14	Brittanie W. Lowery	Ward Timber	Brittaniewtc@AOL.com
15	Tulsi Reddy	Sen. Nat. Res.	tulsi.reddy-sc@Senate.state.tx.us
16	Servando Esparza	Sen. Nat. Res Committee	Servando.esparza-sc@senate.state.tx.us
17	Melissa Fuller	North Texas Municipal Water District	mfuller@ntmwd.com
18	Melke Rickman	" " "	jparley@ntmwd.com
19	Jim Boynton	Rep Mark Homer	jim.boynton@homer.com
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STUDY COMMISSION ON REGION C WATER SUPPLY
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	PRINTED NAME	REPRESENTING	E-MAIL ADDRESS
1	Judy Grant	self	
2	PATSY CLAPPER	Rep. Stephen Frost	
3	David Harkins	Espy Consultants	dhar.kins@espyconsultants.com
4	Temple McKinam	TWDB	temple.mckinam@twdb.state.tx.us
5	David Bezanson	TNC	dbezanson@tnc.org
6	Brinton Payne	Fw Circulator	brpayne@fortworth-clark.com
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	PRINTED NAME	REPRESENTING	E-MAIL ADDRESS
1	David Nabors	Landowner	
2	Sharon Nabors	Region D	
3	Lynne Hamlin	TPWD	Lynne.Hamlin@TPWD.STATE.TX.US
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	PRINTED NAME	REPRESENTING	E-MAIL ADDRESS
1	ROSEMARIE KLEE	N/A	RMKLEE@CRSFOINC.COM
2	Tony Smith	Espey Consultants, Inc.	tsmith@espeyconsultants.com
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	PRINTED NAME	REPRESENTING	E-MAIL ADDRESS
1	Mary Catherine Grant	Self	bove/d er ^{grant} @netscape.com
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