

LOWER RIO GRANDE AUTHORITY (LRGA) BOARD MEETING

WEDNESDAY, JANUARY 5, 2005 - 9:00 A.M.

Rio Red Classroom - Texas A&M Citrus Center

312 North International Blvd.

Weslaco, Texas

Presiding: Bobby Sparks, President

President Bobby Sparks called the meeting to order, and it was ascertained that a quorum was present. In attendance were:

Bobby Sparks, <i>President</i>	Valley Acres
Tito Nieto, <i>Vice-President</i>	United Irrigation Dist. #15
Gordon Hill, <i>Interim Secretary-Treasurer</i>	Bayview Irrigation Dist.
Paul Heller	Hidalgo County Irrigation Dist. #16
Frank Ruiz	Cameron Co. ID #6
Harold Seiver, Jr.	Donna ID
Rick Smith	La Feria IDCC #3
Jo Jo White	Hidalgo & Cameron CID #9

Ex-Officio Members Present:

Charles Browning, NAWSC
Anna Carrillo (for Mayor Norberto Salinas), City of Mission

Others Present: Jesse Hereford, District Director, U.S. Senator Kay Bailey Hutchison

Ricardo Perez, City of Mission
Nora R. Zapata, Donna Irrigation District
Jesus Barba, Attorney
Ken Jones, Executive Director, LRGVDC
Richard Hinojosa, Deputy Executive Director, LRGVDC
Anna Toye Bruton, Executive Secretary, LRGVDC;

The President then welcomed Mr. Jesse Hereford, Regional Director, Senator Kay Bailey Hutchison's Harlingen Office, and Mr. Ricardo Perez, former Mayor of Mission.

President Sparks then moved to agenda item 2. - Consider Approval of Minutes of LRG Board Meeting of November 10, 2004, and asked for any changes. There were none, and ***Mr. Tito Nieto made a motion to approve these minutes. Mr. Gordon Hill seconded the motion, and upon a vote, the motion passed unanimously.***

Following action on the minutes, the President addressed agenda item 3. - Finance Report (January, 2005)m and asked Mr. Gordon Hill, Interim Secretary-Treasurer, to present this item. Mr. Hill reported that currently, there was \$65,547.15 in the Treasury, and that \$35,555.00 in local match funds had been received. Following Mr. Hill's report, ***Mr. Jo Jo White made a motion to approve the Finance Report as presented. Mr. Tito Nieto seconded the motion, and upon a vote, the motion carried unanimously.***

At the conclusion of action on the Finance Report, President Sparks stated that there were no requests for public comment, and moved to agenda item 5. - Consider Ratification of Action Items Presented at November 10, 2004 Meeting. It was explained that action had been taken on the following items at the November, 2004 LRG meeting; however, one member had participated in

the meeting via phone, and ratification of those items was recommended:

5.A. - Consider Approval of Minutes of LRGA Board Meeting of October 7, 2004;
5.B. - Finance Report (November, 2004); 5.C. - Request for Donations to Buy Water Meters for Binational Conservation Project; 5.D. - Consider Sponsorship for 2005 Valley Water Summit (\$1,000); 5.E. - Consider Contribution of Matching Funds to Master Plan (Tabled at November 10, 2004 Meeting); 5.F. - Consider Approval of Letter of Support for National Fish & Wildlife Foundation "Pulling Together Initiative"; and 5.G. - Consider Resignation and Replacement of Board Members.

Following discussion, **Mr. Gordon Hill made a motion to ratify the actions of the Board at its November, 2004 meeting and to approve items 5.A. - 5.G above. Mr. Tito Nieto seconded the motion, and upon a vote, the motion passed unanimously.** (With regard to agenda item 5.E., which was tabled at the November, 2004 meeting, it was the consensus of the Board that the LRGA contribute \$1,000 in matching funds to the Master Plan.)

Following action on agenda item 5., the President moved to agenda item 6. - Consider Approval of Resignation of Board Member Jimmy Steidinger and Harold Seiver, Jr. as Replacement. **Mr. Gordon Hill made a motion to accept Mr. Steidinger's resignation and to approve Mr. Harold Seiver, Jr. as Mr. Steidinger's replacement. Mr. Jo Jo White seconded the motion, and upon a vote, the motion carried unanimously.**

At this time, President Sparks asked if the Board would like to present plaques of appreciation to those members who had resigned, and following discussion, *it was the consensus of the Board that plaques be purchased for those members who had resigned.*

The President then proceeded to agenda item 7. - Consider Appointment of New Board Members to Committees. Following discussion, *it was the consensus of the Board that the new members replace the former members on all existing committees.*

At the conclusion of discussion on committees, the President asked Mr. Ken Jones, Executive Director, LRGVDC, to address agenda item 8. - Report from TCEQ Watermaster. Mr. Jones informed the Board that Mr. Rubinstein, TCEQ Watermaster, was unable to attend the meeting due to a prior commitment. However, staff had received a report from him, and that report included the following information:

Overall the U.S. combined ownership stands at 93.21% (3,100,155) acre-feet;
With very few minor exceptions, all irrigation district accounts are at their 141% maximum, and consequently, a large amount of water remains unallocated and will be available in the system for future allocations well into the spring months;
At Falcon, about 7,000 acre-feet per week extra has been credited to the U.S. because of Mexico reaching 100% capacity and not being authorized to store water in U.S. space;
the Treaty calls for a closing of the cycles and a reassessment of debts if and when the U.S. reaches 100% conservation capacity at both Amistad and Falcon;
We are at 100% at Amistad, but at only 44.4% at Falcon;
The U.S. needs approximately 865,000 acre-feet at Falcon to reach conservation capacity; and, while Mexico has been provided with two delivery proposals in the past few months, they have yet to agree to deliver any additional water;

Following Mr. Jones' report, Mr. Gordon Hill also stated that there has been no resolution to date on the water owed from Mexico.

Following the report from TCEQ, President Sparks asked Mr. Bill Norris, NRS Consulting Engineers, to address agenda item 9. A. - Master Plan Implementation. Mr. Norris informed the Board that surveys had been conducted with water user groups, and that the \$100,000 local match is close to being met. He added that, beginning in February, data will be presented to Region M and then to this Board, and the LRGAs may have to ask for a time extension on the TWDB Contract. He also mentioned that there were additional Funds available from EPA under the 2012 Program, and it was agreed that this funding availability should be investigated. Following discussion, *it was the consensus of the Board that Mr. Norris give a presentation on the LRGAs project at the February, 2005 meeting.*

Following discussion, the President moved to agenda item 9.B. - Request for State Attorney General's Opinion RE: Resignation of Board Members, and asked Mr. Jesse Barba, Attorney, Jones, Galligan, Key & Lozano, LLP, to report. Mr. Barba informed the Board that this request had been sent to the Attorney General, and we are awaiting a ruling at this time.

With reference to agenda item 10.A. - Legislative Update, Mr. Barba reported that the proposed legislation had been presented to State Senator Juan "Chuy" Hinojosa, and it is anticipated that Senator Hinojosa will introduce the legislation to include municipalities as voting members of the LRGAs Board. During discussion, it was agreed to furnish Mr. Ricardo Perez with the current information on this proposed legislation, as well. During discussion, it was agreed that this issue should be presented to the Senator by LRGAs Board members and advocates next week in Austin.

Following discussion on proposed legislation, with reference to agenda item 10.B. - Treaty Update, this item had been reported on earlier during the meeting under agenda item 8 by Mr. Gordon Hill.

President Sparks then reported that with regard to agenda item 10.C. - Regional Water Planning/Bylaws/Legal Committees, no meetings had been held.

Following that announcement, the President moved to agenda item 11. - Discussion and Action RE: Meeting Schedule, and recognized Mr. Ken Jones, Executive Director, LRGVDC. Mr. Jones suggested the first Thursday; however, following discussion, ***Mr. Gordon Hill made a motion to schedule the next LRGAs meeting for Wednesday, February 2, 2005 at the same time and place.***

Mr. Frank Ruiz seconded the motion, and upon a vote, the motion carried unanimously.

The President then urged the Board Members to participate in the upcoming Valley Water Summit (VWS), and it was agreed that the LRGA would sponsor the VWS in the amount of \$1,000.

Mr. Gordon Hill also reported that a report by the consultant regarding the Water Conservation Awareness Program would be given on January 25, 2005 in Austin at the TWDB offices.

With regard to other old or new business, Mr. Tito Nieto informed the Board that negotiations were in progress between the Texas Irrigation Council and McAllen Water Improvement District #3, to avoid legislation to eliminate that district. He added that additionally, a management agreement between United Irrigation District and District #3 is presently being considered.

Following discussion on District #3, and after ascertaining that there was no further business to be conducted by the Board, President Sparks adjourned the meeting.

Bobby Sparks, President

Gordon Hill, Interim Secretary-Treasurer