

**LOWER RIO GRANDE AUTHORITY (LRGA) EMERGENCY BOARD MEETING**

**as per Chapter 551, Texas Government Code**

**TUESDAY, JUNE 14, 2005 - 9:00 A.M.**

**Jones, Galligan, Key & Lozano, LLP Offices - Conference Room**

**2300 West Pike Boulevard, Suite 300**

**Weslaco, Texas**

**Presiding: Bobby Sparks, President**

An Emergency Meeting as per Sec. 551.045, Texas Government Code, on the passage of HB 2639, 79<sup>th</sup> Legislative Session, including response to recent publications about the LRGA and lobbying efforts against the passage of HB 2639.

President Bobby Sparks called the meeting to order, and stated that there was a quorum present, with the following members present:

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	Rio Queen Citrus
Joe Pennington	Delta Lake
Frank Ruiz	Cameron Co. ID #6
Harold Seiver Jr.	Donna Irrigation Dist.
Rick Smith	La Feria IDCC #3
Frank "Jo Jo" White	H&CCID #9

Also present were:

Nora Zapata, Donna Irrigation District;  
Mayor Norberto Salinas, City of Mission  
Bill Norris, NRS Consulting Engineers  
Jesus Barba, Attorney  
Ken Jones, Lower Rio Grande Valley Development Council  
Anna Toye Bruton, Lower Rio Grande Valley Development Council

Agenda item 3. - Discuss and approve Letter to Texas Governor Encouraging Veto of HB

2639 was considered. Discussion occurred regarding meetings with Senator Lucio's staff that LRGA representatives had attended, and following discussion, **Mr. Paul Heller made a motion to approve the letter as amended with additional copies to be furnished to the five cities mentioned in the letter (Brownsville, Donna, Harlingen, McAllen, and Mission). Mr. Jo Jo White seconded the motion, and upon a vote, the motion passed unanimously.**

With regard to agenda item 4. - Discuss and Approve Letter to Texas Water Development Board (TWDB) on TWDB Not Honoring Grant, at the conclusion of discussion regarding changes, **Mr. Joe Pennington made a motion to approve the letter as amended to the TWDB regarding the contract being rescinded and to attach a copy of the list of local match contributors. Mr. Paul Heller seconded the motion, and upon a vote, the motion carried unanimously.**

Discussion occurred regarding how to manage existing assets of the LRGA. During discussion, it was agreed that all expenses of the LRGA should be paid and the remaining funds be returned at a pro rata share to those entities who had provided matching contributory funds. Along with refund checks, the COG could write a letter explaining the status of the activities, and ask if that entity wanted to provide matching funds to the COG to continue the activities of the TWDB Grant

Mr. Jesse Barba stated that there were three options open to the LRGA, if it is abolished: 1) do nothing; 2) initiate litigation, or 3) lobby to recreate the LRGA into a merged entity with the other authority.

The Board had previously agreed to schedule a meeting of the Interlocal Joint Committee of both authorities on June 24, 2005. However, following discussion, *it was the consensus of the Board that a letter be sent from the LRGA notifying the RGRWA that the June 24<sup>th</sup> meeting of the joint committee to discuss merging the two authorities was canceled until further notice.*

At this time, President Sparks recessed the open meeting, and called for an Executive Session on the following Item as per Sec. 551.071, Texas Government Code: Consultation with Attorney on Pending or Contemplated Litigation. The President then closed the Executive Session and reconvened the meeting in open session.

Mr. Jesse Barba informed the Board that his law firm had contacted the law firm of Leonard Frost, Levin, Van Court and Marsh, a firm that has expertise in litigation regarding legislation, and their fee would be approximately \$75,000. Following discussion, **Mr. Paul Heller made a motion that the LRGA not hire this law firm nor to pursue litigation regarding the legislation. Mr. Joe Pennington seconded the motion, and upon a vote, the motion passed unanimously.**

With regard to development of an LRGA Fact Sheet, **Mr. Gordon Hill made a motion to authorize Linda Fernandez to proceed with the development of a public relations program for the LRGA, with a cap of \$2,500 for expenses. Mr. Paul Heller seconded the motion and upon a vote, the motion carried unanimously.**

Discussion occurred regarding the next LRGA Meeting, *and it was the consensus of the Board that the next meeting be scheduled for July 7<sup>th</sup>, 2005.*

There being no further business to discuss, President Sparks adjourned the meeting.

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**Bobby Sparks, President**

**Tito Nieto, Vice-President**