

AGENDA
TEXAS WATER DEVELOPMENT BOARD
August 10, 2023 – 9:30 AM

1700 Congress Ave., Stephen F. Austin Building, Room 170
Austin, Texas

VIA GO TO WEBINAR
PLEASE SEE www.twdb.texas.gov

1. Discussion regarding outreach efforts and activities by the Board.
2. Consider approving the Fiscal Year 2024 Debt Management Policy of the Texas Water Development Board. (Georgia Sanchez)
3. Consider approving by resolution delegation to the Executive Administrator and the Development Fund Manager the authority to utilize prepayments and other lawfully available funds to pay, redeem, and defease General Obligation Bonds. (Georgia Sanchez)
4. Consider approving the Fiscal Year 2024 Underwriting Policies and Procedures for Negotiated Bond Transactions of the Texas Water Development Board. (Georgia Sanchez)
5. Consider selection of bond and disclosure counsel and authorize the Executive Administrator to negotiate and enter into consultant contracts for outside counsel services from September 1, 2023, through August 31, 2025. (Georgia Sanchez)
6. Consider authorizing the Executive Administrator to amend the outside counsel contract with Orrick, Herrington & Sutcliffe LLP by increasing the contract amount by \$65,000, for a total of \$515,000. (Georgia Sanchez)
7. Consider approving the Fiscal Year 2024 Texas Water Development Board Investment Policy and Strategies. (LeeRoy Lopez)
8. This is a briefing item regarding material changes to contracts for goods and services executed during the third quarter of Fiscal Year 2023, and the contract and performance report for the third quarter of Fiscal Year 2023. (Cameron Turner)
9. Consider authorizing the Executive Administrator to negotiate and execute a one-year contract with the Municipal Advisory Council of Texas for fiscal year 2024, not to exceed \$150,000, and delegation of authority to renew the contract annually, through fiscal year 2027, in an amount not to exceed \$150,000 per fiscal year. (Inette Hutching-Brown)
10. Consider authorizing the Executive Administrator to negotiate and execute an interagency contract with the Texas Facilities Commission regarding minor

construction services for Texas Water Development Board assigned properties within the Stephen F. Austin building in an amount not to exceed \$350,000. (Kelly Burton)

11. Consider authorizing the Executive Administrator to execute an amendment to the Shared Technology Services interagency contract with the Department of Information Resources to extend the contract end date to August 31, 2025, with a contract amount not to exceed \$7,741,343 during the Fiscal Year 2024-2025 biennium. (Scott Daywood)
12. Consider authorizing the Executive Administrator to (a) negotiate and execute contract amendments to increase funding allocated to the sixth cycle of regional water planning (2026 Regional Water Plans) contracts by an amount not to exceed \$3,300,000; and (b) transfer these funds from the Water Assistance Fund to the Research and Planning Fund. (Sarah Lee)
13. Consider approving the State Fiscal Year 2023 Drinking Water State Revolving Fund Lead Service Line Replacement Intended Use Plan. (Mark Wyatt)
14. Consider approving the State Fiscal Year 2023 Drinking Water State Revolving Fund Emerging Contaminants Intended Use Plan. (Mark Wyatt)
15. Consider approving the State Fiscal Year 2023 Clean Water State Revolving Fund Emerging Contaminants Intended Use Plan. (Mark Wyatt)
16. Consider approving by resolution a request from the City of Moody (McLennan County) for \$11,432,583 in financial assistance consisting of \$3,475,000 in financing and \$7,957,583 in principal forgiveness from the Clean Water State Revolving Fund for planning, acquisition, design, and construction of a new wastewater treatment plant. (Tom Barnett)
17. Consider approving by resolution a request from the City of Bay City (Matagorda County) for a) \$15,000,000 in financial assistance consisting of \$14,500,000 in financing and \$500,000 in principal forgiveness from the Drinking Water State Revolving Fund for planning, acquisition, design, and construction of water system improvements; and b) a waiver from the requirement to include funds to mitigate water loss as part of this project. (Dain Larsen)
18. Consider approving by resolution a request from the City of Daingerfield (Morris County) for \$2,950,000 in financial assistance consisting of \$1,950,000 in financing and \$1,000,000 in principal forgiveness from the Clean Water State Revolving Fund for planning, design, and construction of a wastewater system improvements project. (Mireya Loewe)
19. Consider authorizing the Executive Administrator to execute an amendment to the grant agreement with the Hidalgo County Drainage District No. 1, as amended, to

include an additional \$500,000 grant pursuant to Rider No. 21 of the General Appropriations Act for the 2022-23 Biennium. (Mireya Loewe)

20. The Board will receive comments from the public on any matters within the jurisdiction of the TWDB, with the exception of matters which are subject to the ex parte prohibition found in Texas Government Code Section 2001.061.
21. The Board may adjourn into Executive Session and conduct a closed meeting to consider any item on this agenda if a matter is raised that is appropriate for the Board to conduct a private consultation with its attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code. The Board may conduct a closed meeting to receive legal advice and discuss pending or contemplated litigation, settlement offers, or the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of specific Board employees, including the Executive Administrator and General Counsel, as permitted by Sections 551.071 and 551.074, the Texas Open Meetings Act, codified as Chapter 551 of the Texas Government Code. The Board may also meet in open meeting to take action on legal or personnel matters considered in the closed meeting as required by Section 551.102 of the Open Meetings Act, Chapter 551 of the Government Code. The Board may conduct a closed meeting to consider and discuss financial matters related to the investment or potential investment of the Board's funds, as permitted by Section 6.0601(a) of the Texas Water Code. The Board may also meet in open meeting to take action on a financial matter discussed in the closed meeting as required by Section 6.0601(b) of the Texas Water Code.

The next currently scheduled meeting of the Texas Water Development Board will be held in Harlingen, Texas on September 14, 2023. Other meetings may be scheduled and will be posted in compliance with the Texas Open Meetings Act.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, large print or Braille, are requested to contact Cheryl Arredondo at (512) 463-7686 two (2) workdays prior to the meeting so that appropriate arrangements can be made.

NOTICE: ENTRY TO THIS MEETING WITH A HANDGUN IS FORBIDDEN

This meeting is a public meeting under Chapter 551 of the Texas Government Code. Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law) may not enter this property with a concealed handgun. Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law) may not enter this property with a handgun that is carried openly. For purposes of this notice, "property" means the room or rooms where the

open meeting of the Texas Water Development Board is held.

This Board Meeting will be held both in person at the Stephen F. Austin Building, Room 170, and via webinar. Visitors who will attend the meeting via webinar can access the meeting using the following link:

<https://attendee.gotowebinar.com/register/6815204510251587933>

Visitors who wish to address the Board should complete a visitor registration card and either attend the meeting in person or arrange to address the Board via videoconference. The Texas Open Meetings Act prohibits visitor participation by telephone only. The visitor registration card is available at <http://www.twdb.texas.gov/board/visitor.asp> and should be completed and submitted by e-mail to Customer_Service@twdb.texas.gov *no later than 8:00 a.m. on August 10, 2023, or in person at the registration desk.*

Direct links to this information can be found on our website at www.twdb.texas.gov