

AGENDA
TEXAS WATER DEVELOPMENT BOARD
January 19, 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 authorizing the Executive Administrator, Chief Financial Officer, and Development Fund Manager to take all necessary actions for the issuance, sale and delivery of Texas Water Development Board State Revolving Fund Revenue Bonds in one or more series; and approving the selection of financial advisor, bond counsel, disclosure counsel, senior managing underwriter, and co-managing underwriters for the negotiation of the bond issue. (Alejandro Imatzu)
3. Consider authorizing the Executive Administrator to execute multiple contracts in a total amount not to exceed \$500,000 through the Texas Strategic Mapping Program. (Richard Wade)
4. Consider amending the 2022 State Water Plan to incorporate an amendment (to be effective January 30) to the 2021 Region M Regional Water Plan relating to inclusion of a water management strategy and associated projects for the Hidalgo County Drainage District No. 1. (Kevin Smith)
5. Consider acknowledging gifts and donations to the Texas Water Development Board valued at \$500 or more, in accordance with Texas Government Code Chapter 575. (Kaye Schultz)
6. Briefing and discussion on the status of the Texas Water Development Board's guidance document related to use of Construction Manager-at-Risk and Design-Build project delivery methods. (Jessica Taylor)
7. Consider authorizing the publication of adopted amendments to 31 Texas Administrative Code Chapter 363, Subchapter J to implement House Bill 1052 (86th Regular Session). (Jessica Peña)
8. Consider authorizing the publication of a (1) notice of intent to review rules in 31 Texas Administrative Code (TAC) Chapter 353, Subchapters B, D, E, F, and I and (2) notice of intent to review rules in 31 TAC Chapter 353, Subchapters A, C, G, H, and J, including proposed amendments to 31 TAC §§ 353.4, 353.12, 353.41, 353.103, 353.122, and 353.140. (Kendal Kowal)

9. Consider authorizing the publication of a (1) notice of intent to review rules in 31 Texas Administrative Code (TAC) Chapter 354, including a proposed amendment to 31 TAC § 354.6, and (2) proposed repeal of 31 TAC §§ 354.1, 354.2, 354.4, 354.6, 354.9, and 354.15. (Kendal Kowal)
10. Consider authorizing the publication of a (1) notice of intent to review rules in 31 Texas Administrative Code (TAC) Chapter 380, Alternative Dispute Resolution, Subchapter B, Negotiation of Contract Disputes; Subchapter C, Mediation of Contract Disputes, and; Subchapter D, Assisted Negotiation Processes; and (2) proposed amendments to 31 TAC §§ 380.2 and 380.3. (Kendal Kowal)
11. Consider amending by resolution, the previously adopted Texas Water Development Board Resolution Nos. 21-097 and 22-009 to extend the Willow Fork Drainage District's Flood Infrastructure Fund commitment. (Nancy Richards)
12. Consider approving by resolution a request from the City of Sugar Land (Fort Bend County) for \$4,100,000 in financing from the Flood Infrastructure Fund for planning, design, and construction of a drainage project. (Nancy Richards)
13. Consider amending by resolution, the previously adopted Texas Water Development Board Resolution No. 22-030 to modify the Harris County Flood Control District's Flood Infrastructure Fund commitment to extend the commitment period. (Nancy Richards)
14. Consider approving by resolution a request from the City of Marble Falls (Burnet County) for \$4,300,859 in financial assistance consisting of \$2,670,000 in financing and \$1,630,859 in principal forgiveness from the Clean Water State Revolving Fund for construction of wastewater system improvements. (Dain Larsen)
15. Consider amending by resolution, the previously adopted Texas Water Development Board Resolution No. 22-083 to extend the City of Marble Falls' Clean Water State Revolving Fund commitment. (Dain Larsen)
16. Consider amending by resolution, the previously adopted Texas Water Development Board Resolution No. 21-033 to modify the City of Bay City's Drinking Water State Revolving Fund annual loan closing schedule. (Dain Larsen)
17. 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.
18. 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 February 2, 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/2461522188689283417>

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 January 19, 2023, or in person at the registration desk.

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