

**Regular Called Meeting
Riverbend Water Resources District
Board Meeting Minutes**

June 26, 2024

228 Texas Avenue, Suite A, New Boston, Texas 75570

M I N U T E S

I. Call to Order, Roll Call, and Establishment of Quorum and Certification of Notice

Pursuant to a notice posted on the District website, the Chair, Lynn Davis, Vice President of the Board, called the meeting to order at 12:06 p.m.

Directors Present:

Lynn Davis, Vice President

Sonja Hubbard, Treasurer

Van Alexander, Past President

Directors Absent:

Steve Mayo, President

Tina Veal-Gooch, Secretary

Administration Present:

Kyle Dooley, Executive Director/CEO

Eli Hunt, Director of Operations

Becky Melton, HR Manager/Executive Assistant

Public Present:

Please see the attached list for additional guests.

II. Invocation & Pledge

Lynn Davis led the invocation and the pledge of allegiance.

III. Public Comments

None.

IV. Consent Agenda Items

Item IV. A. was considered under a Consent Agenda for one single motion of approval.

A. Discussion and possible action regarding May 22, 2024 Regular Called Meeting minutes.

A motion was made by **Van Alexander** and seconded by **Sonja Hubbard** to approve the Consent Agenda Item as listed above. The motion passed unanimously.

VI. Regional Entity Reports

A. Discussion and possible action regarding activities with Sulphur River Basin Authority (SRBA).

David Weidmon, Executive Director, provided that their meeting was held yesterday. The board approved financials as well as the investment report. They also approved to amend the Clean Rivers program contract to quit taking an administrative reimbursement and put it into water quality monitoring. This will allow them to add two stations to the monitoring system. One will be at Lake Wright Patman. The board also approved amendments to the current budget as well as a draft version of the 2025 budget. They are also going to be participating in a small river authority legislative funding mission. The SRBA will work with the Angelina Neches River Authority, the Neches Red River Authority as well as the Upper Colorado River Authority to request \$25 million in legislative funding to distribute over a five-year period to support planning and design for capital expenditures. The goal is to aid in the successful acquisition of necessary capital project funding. There are many entities within the basin that need the grants but they can not put together what is necessary to apply for the grant funding. This collaboration should increase chances of getting funding. No action taken.

B. Discussion and possible action regarding activities with TexAmericas Center (TAC).

Scott Norton, Executive Director, provided information on prospect activity. Eric Voyles, Executive Vice President, provided to the board that they currently have 137 prospects. The TAC footprint is the final site selection in Texas for 19 of those prospects. They are very close to closing on 3 of them. One of them is Operation Cobra, the plastic recycling company. They are waiting on a few more details to be finalized before they close. Operation Daphne, the solar panel project, has moved from leasing buildings to asking TAC to design a build-to-suit location. Operation Ozark is looking to purchase 58 acres from TAC for a chemical processing plant. TAC is one of two sites to choose from. No action taken.

C. Discussion and possible action regarding activities with Ar-Tex REDI.

Sonja Hubbard provided that they had a good meeting with Congressman Moran and Senator Hughes on moving forward with federal and state funding for the lengthening and strengthening of the runway at Texarkana Airport. No action taken.

VII. Agenda Items for Individual Consideration

No items to consider.

VIII. Riverbend Reports

A. Board Members

No reports.

B. Executive Director/CEO

Kyle Dooley provided the following updates:

Regional Water System Project: Kim Keefer with Pape Dawson provided the following update. The public meeting with Redwater to gain their concurrence for the pipeline alignment through an unused portion of the city park was a sticking point with the TWDB environmental reviewer. The Director and administrative Program Manager went to Redwater on May 20 to explain the plan to the city council and ask for their approval to use the back side of the park. On June 19, the City of Redwater agreed and Leo Whelchel endorsed the letter for TWDB. The Texas Historical Commission issued an Antiquities Permit for the alignment. This permit has strict guidelines for how to conduct the archeological investigation of the sites for pipeline and facilities. The schedule for fieldwork is to begin in mid-July with eight archeologists and an equipment operator. The location for testing will go from South of the TexAmericas Center to the USACE property at the lake edge. Finally, payment for the memorandum of agreement has been completed to USACE to begin the review of the Environmental Assessment needed for the Outgrant Lease of the USACE property. Kyle Dooley added that getting the payment instructions from USACE contributed to a lengthy delay in payment to start the review. This major milestone officially starts the coordination necessary to build the intake site and tunnel the raw water intake to the pump station. Another round of public meetings are required and will be scheduled with USACE personnel. While three good successes have occurred over the past 30 days, we are still diligently working to have TWDB recognize environmental due diligence has been met and detailed design is ready to begin. Our last hurdle before presenting our case to their environmental specialist is for USACE to concur on our use of a Nationwide Permit 58, Utility Crossing Waters of the United States. The program office would like to thank Tara Houck for her one day turnaround of key financial documents and payments over the past 45 days. Mr. Dooley provided further updates on bond issuance and closing as well as use of available funds. The timetable with the USACE has hindered us in getting the permits necessary to release official design funds, it has not delayed the project in moving forward. The TWDB met on June 12th and approved our request to extend the closure of the fourth round of bonds to August of 2026. We have closed on \$125 million on the \$200 million. Based on the way we will spend the funds once get the permitting finalized, we have enough funds to spend for 2 years on design. This extension is saving Riverbend added debt service payments and give us a little more time before we go up on the debt service rate. The last set of bonds were fully taxable, we believe this extension will allow us to use those taxable funds up and then open up the opportunity to have a 60/40 split between tax-exempt and taxable bonds in two years. Initial numbers show that the debt service rate could remain steady for a year instead of increasing as previously planned.

TexAmericas Center: The plastic recycling will be a water user comparable to the Army's water usage. They have switched gears from water cooling for their processes to using electric cooling. They will still be a big user but not as large as was initially planned.

Ultimate Rule Curve: The Programmatic Agreement has been signed, the environmental agreement is ready, the hydraulic and hydrological models are complete, the cultural resources study was awarded last month. There are 2 sets of calls. One call is dealing with environmental and cultural resources issues and the other is policy discussions covering any hurdles in finalizing an agreement implementing the ultimate rule curve. Up to this point, we have solely focused on the 180,000 acre feet to draw from Wright Patman. That corresponds with the storage that the Ultimate Rule Curve implementation gives us to store that water right. There is an additional 175,000 acre feet right available as well. Our thought has always been that those two need to be kept separate because there was confusion on the current 180K acre feet right established with the URC and then what would be the process to get the storage in place for the 175K acre feet from the USACE. The thought is that there would be a reallocation process to get up to 355K acre feet. The storage in Wright Patman is unique in that the lake yields more than the storage volume. Meaning we don't need 180K acre feet of storage volume to yield the 180K right that we have. This opens up a policy discussion regarding where our storage right will be parked in those elevations that they are already studying. Ultimately, we will have to have a discussion about the storage for the entirety of the 355K acre feet of water rights we will have. The fact that the Wright Patman storage availability is more than the water rights will make it interesting to see, within the high and low ends of the URC, how much storage will that yield beyond 180K acre feet.

Industrial Wastewater Plant: Now that the contract with the Army is finalized, Marti Shew with Hilltop Securities is reaching out to financial institutions, and she is hoping to have funding information available at the July meeting.

Member City True-Up: Documents will be ready for review close to July 10th. The True-Up meeting is scheduled for July 17th at 10am and the regular Riverbend Board meeting will be on July 24th at noon. Members will also receive the Riverbend debt service budget as well.

No action taken.

XI. Executive Session

The board stood at ease at 12:42 p.m.

The board reconvened in Executive Session at 12:45 p.m. with quorum pursuant to section 551.071 and 551.072 of the Texas Open Meetings Act.

The board came out of Executive Session at 1:26 p.m.

The board reconvened with quorum at 1:35 p.m.

X. Next Riverbend Meetings

Riverbend Regular Meeting, Wednesday, July 24, 2024 at 12:00 p.m. at Riverbend Offices,
228 A Texas Avenue, New Boston, Texas 75570.

XI. Adjournment

With no additional business to be discussed, the meeting adjourned at 1:35 p.m.

**The minutes of the Riverbend Water Resources District Board of Directors meeting, held on
June 26, 2024 were read and approved on the 24th day of July, 2024.**



Steve Mayo, President

Attest:



Kyle Dooley, Executive Director/ CEO

Board Meeting

June 26, 2024

12:00 p.m.

[illegible]