



## **NORTH TEXAS MUNICIPAL WATER DISTRICT**

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### **LEGISLATIVE COMMITTEE MEETING MINUTES JULY 23, 2020**

#### **I. CALL TO ORDER**

Chairman Marvin Fuller called the meeting of the NTMWD Legislative Committee to order at approximately 12:16 p.m. on Thursday, July 23, 2020, by teleconference. Chairman Fuller advised the following:

In accordance with the COVID-19 public health threat and the related March 16, 2020 action by the Office of the Governor, temporarily suspending certain provisions of the Texas Open Meetings Act, NTMWD will hold its meeting by telephonic conference call.

In lieu of physical attendance, the public may teleconference into the meeting by calling toll free (1) (844)-621-3956 and entering the following access code: 928 587 040. Members of the public wishing to make public comment during the meeting should follow the instructions for on-line registration listed under Item II. below no later than the start time of the meeting. The meeting will be recorded, and the audio recording will be available on the NTMWD website after the meeting.

Chairman Fuller called the roll and confirmed attendance by teleconference for Directors Marvin Fuller, George Crump, Joe Farmer, John Murphy, Richard Peasley, Lynn Shuyler, and Keith Stephens. Director Charles McKissick was absent.

#### **II. PUBLIC COMMENTS (FOR TELECONFERENCE COMMITTEE MEETINGS ONLY)**

**INSTRUCTIONS FOR PUBLIC COMMENT ON-LINE REGISTRATION:** Prior to the start of the Legislative Committee meeting, members of the public wishing to provide public comment must submit via email to [PublicRelations.Info@ntmwd.com](mailto:PublicRelations.Info@ntmwd.com) their first and last name, organization, comment topic, mailing address and email address. During the public comment portion of the meeting, speakers will be recognized by name and asked to provide their comments. The time limit is five (5) minutes per speaker, not to exceed a total of thirty (30) minutes for all speakers. The Committee may not discuss these items but may respond with factual or policy information. Public comment is provided for committee meetings held by teleconference during the COVID-19 health threat to confirm the opportunity for two-way communication with the public during the meeting.

There were no public comment requests.

III. OPENING REMARKS

- A. Chairman/Executive Director/Committee Champion Status Report concerning legislation and regulatory matters, budgets, current projects and ongoing programs of the District

Chairman Fuller welcomed new committee members and advised that he selected Director Joe Farmer as Vice-Chair of the Legislative Committee. He welcomed the consultants in attendance. Interim Executive Director Rodney Rhoades was in attendance as well as other Directors. Attorney Lauren Kalisek attended the meeting by teleconference as well as Ron Lewis with Ron Lewis & Associates, Snapper Carr with Focused Advocacy, Heather Harward with Texas Water Supply Partners and Clayton Taylor with The Taylor Group.

IV. ACTION ITEMS

- A. Consider approval of Legislative Committee meeting minutes – March 11, 2020

Upon a motion by Director Joe Farmer and a second by Director Lynn Shuyler, the Legislative Committee voted unanimously to approve the minutes of the Legislative Committee meeting held on March 11, 2020.

V. DISCUSSION ITEMS

- A. General orientation on the legislative landscape and issues for new committee members

Government Relations Advisor David Kelly reviewed and provided some background regarding the state legislative delegation members that represent areas in North Texas that NTMWD serves, including members of the Texas House of Representatives and Senate, and members of Congress. He noted that Representative Reggie Smith of Grayson and Fannin Counties is Chair of the Red River Boundary Commission.

Mr. Kelly reviewed the current legislative outlook and noted that it is unknown at this time what the process will be for hearings going forward due to COVID-19. He advised shortfalls in the budget are expected.

Consultant Clayton Taylor addressed the Committee. He advised that he has been working with NTMWD on the Texoma Pump Station boundary issue for several years. He has worked with the Governor of Oklahoma and two tribes that have parts of Lake Texoma in their sovereign territories. He reviewed that in 2018 the then new Governor asked not to have any legislation introduced in 2019 regarding the Texas / Oklahoma boundary issue. In 2020, Mr. Taylor advised that two bills were introduced, House Bill 3587 and Senate Bill 1270 and both bills passed. The only remaining steps required were to have the House pass the Senate bill again and the Governor's signature. Then when the COVID-19 pandemic began, the legislative session was paused. When the session resumed, bills unrelated to COVID issues were put on hold. Mr. Taylor advised that the legislative process will have to be restarted in 2021 and he believes that

the bill will be finally approved. He noted that the District incentive package being developed will greatly benefit the State of Oklahoma. In response to a question from a Director in attendance, Mr. Taylor advised that it is unknown at this point in time whether the McGirt Supreme Court case will have any impact on the boundary issue. He noted that the Choctaw and Chickasaw tribes have been included in the discussion and negotiations in the past.

Consultant Ron Lewis commented that the next legislative session will be focused on a budget deficit of approximately \$5 billion. He stated that some challenges for the legislation will be the rainy-day fund, redistricting, and, he added that there will be a new Speaker and new Committee Chairs. Mr. Lewis added that it is unknown whether access to the Capitol will be available.

Consultant Snapper Carr advised that processes at the Capitol will be changed and written testimony may be the only form of public input on legislative matters. He agreed the budget will be the biggest factor. He also advised that census numbers are delayed and that may affect redistricting, likely causing the need for a special session in late summer next year.

Heather Harward introduced the Texas Water Supply Partners, a coalition of similar water districts from around the state that focus on regulatory and legislative actions on maintaining and increasing the state's water supply. She provided an update on the Texas Water Development Board's implementation of the SWIFT program.

Director Joe Farmer requested that staff assemble information on today's consultants and provide that to the Committee members.

B. Discussion of Legislative Policy Position Statement

David Kelly provided background on this item. He advised the purpose of a Legislative Policy Position Statement document includes:

- Having a guide for staff as they work with legislators during fast-paced legislative session.
- Focus policy priorities of the District and determine the breadth of policy areas to pursue.
- It will provide a succinct vehicle for input to legislators and staff prior to and during session as they are crafting and working legislation.
- It would be a statement of common understanding and agreement between Board, staff, and legislative consultants.

He added that some Member Cities have similar documents.

Mr. Kelly asked the Committee members if this is something the Board of Directors would want. He also asked the following about a potential Statement:

- Should it reflect a proactive or reactive position for 86th Legislature?
- Should it address issues only impacting District or broader water and natural resources areas?

- Should it support our cities formally on major issues of importance that they pursue?
- Should this be a polished public document or an internal working document?
- Should there be a process for approval of formal input during session?

Mr. Kelly advised that a Position Statement could be used to guide staff in continuing to proactively pursue passage of a bill to re-establish a Red River Boundary Commission; to continue to show willingness to provide funding for an incentive project in Lake Texoma; and, to continue maintenance of relationships in Oklahoma and Texas that have worked well so far.

Chairman Fuller advised that the District should continue to be proactive on legislative matters and added that if such a Statement is prepared it should only focus on issues directly related to matters affecting the District. Several Committee members spoke in agreement with Chairman Fuller as did other Directors in attendance. Mr. Kelly summarized by stating he agrees with preparing a positive statement and not to oppose issues; the District should be careful in supporting things that might affect Member Cities; and, that the process should include that a Policy Statement is not the final word and the Board or Committees will be advised if they need to review a particular matter. He advised that he will work with the consultants on a Statement.

Mr. Kelly advised the Committee that this week a new COVID related bill has been introduced to provide a portion of future COVID relief funding to special districts like NTMWD. He said that Senator John Cornyn prepared a draft and asked if the District should work with Senator Cornyn in support of the bill. Chairman Fuller advised him to get more information on this to the Committee Members.

C. Update on proposed federal legislation to rename Bois d'Arc Lake

Chairman Fuller referred to an email the staff sent to the Directors in June regarding information received about Congressman Van Taylor trying to possibly rename Bois d'Arc Lake as a way of honoring Sam Johnson. Staff also sent the information to Fannin County. After communicating with Congressman Taylor's staff, he advised that the Congressman had decided not to pursue this renaming and would look at another option, perhaps renaming Lake Lavon. More information will be provided to the Committee as it is available.

D. Update on Red River Boundary Compact Commission and Oklahoma Legislative Action

Mr. Kelly advised that the Texas Red River Boundary Commission members are appointed through 2021. He noted however that it is likely we will need to go back to the Governor to extend those appointments because of the extension of the process due to COVID. Mr. Kelly added that he expects no issues with the extensions. It was noted that the legislative session will end May 31, 2021.

- E. Opportunity for Committee members to provide feedback on meeting

No feedback was provided.

- F. Opportunity for Committee members to request potential future agenda items  
*(No substantive discussion of items will take place at this time)*

There were no potential future agenda items requested.

Chairman Fuller extended his appreciation to everyone involved in this meeting.

VI. ADJOURNMENT

There being no further business, the meeting adjourned at approximately 1:30 p.m. The next Legislative Committee meeting will be called by the Chairman with proper notification to all members.

APPROVED:



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MARVIN FULLER  
Chairman