



NORTH TEXAS MUNICIPAL WATER DISTRICT

501 E. Brown Street • Wylie, Texas 75098
(972) 442-5405 – Phone • (972) 295-6440 – Fax

LEGISLATIVE COMMITTEE MEETING MINUTES OCTOBER 12, 2022

The Presiding Officer will be present at the meeting location, the NTMWD Administrative Offices, 501 E. Brown Street, Wylie, Texas 75098, with two-way video and audio communication between Board members participating by videoconference, establishing a quorum. The public may attend the meeting in person at the meeting location. Audio and video of Board members participating by videoconference will be visible to members of the public in attendance at the meeting location. The meeting will be recorded, and the audio recording will be available on the NTMWD website after the meeting.

Members of the public wishing to listen to live audio from the meeting may do so by calling in at (469) 210-7159 or toll free (844) 621-3956 and entering the following access code: 928 587 040. Please note this line will not provide for two-way communication and public comment at the meeting must be made in person at the meeting location.

I. CALL TO ORDER

Chair Marvin Fuller served as the Presiding Officer and called the meeting of the North Texas Municipal Water District (NTMWD) Legislative Committee to order at 3:00 p.m. on Wednesday, October 12, 2022. The meeting was held with two-way video and audio communication between Board members participating by videoconference, establishing a quorum. General instructions were provided to attendees. Any reference to unanimous votes refers to a unanimous vote of the Committee members present.

The following Legislative Committee members were present; therefore, a quorum was present.

	Legislative Committee Members	Attendance
1	Marvin Fuller, Chair	Present
2	Rick Crowley	Remote
3	Joe Farmer	Remote
4	Blair Johnson	Remote
5	Geralyn Kever	Remote
6	Jody Sutherland	Remote
7	John Sweeden	Remote

Members of the Executive Committee were present as well as other Board members. Executive Director Jenna Covington along with other members of the NTMWD management team were also in attendance.

The following consultants attended via teleconference:

- Lauren Kalisek and Sara Thornton - Lloyd Gosselink Rochelle & Townsend
- Mark Walsh - Saunders Walsh & Beard
- Ron Lewis – Ron Lewis & Associates
- Snapper Carr and Lynlie Wallace – Focused Advisory
- Greg Piatt and Sydney Hill – GAP Consulting

II. PUBLIC COMMENTS

Prior to the start of the meeting, speakers must complete and submit a “Public Comment Registration Form.” During the public comment portion of the meeting, speakers will be recognized by name and asked to provide their comments. The time limit is three (3) 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.

There were no requests for public comments.

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.

Chair Fuller welcomed new Committee members and announced that Joe Farmer has agreed to be Committee Vice-Chair.

David Kelly, Government Affairs Advisor, introduced consultants Snapper Carr, Ron Lewis and Lynlie Wallace who is new to the group. He spoke briefly about the September 27th meeting between District representatives and State Comptroller Glenn Hegar. Mr. Kelly also reviewed the many state-wide representatives who will attend the Bois d’Arc Lake Dedication Ceremony.

Executive Director Covington offered brief comments regarding today’s meeting.

Prior to the Committee acting on the February 9th minutes, Chair Fuller spoke of the passing of former Director John Murphy and offered condolences to his family. He also spoke of former Director Brenda Jean Patrick who recently resigned from the Board, expressing his appreciation for her service on the Board.

IV. ACTION ITEMS

- A. Consider approval of Legislative Committee meeting minutes – February 9, 2022

Upon a motion by Director Blair Johnson and a second by Director John Sweeden, the Legislative Committee voted unanimously to approve the Legislative Committee minutes for February 9, 2022.

V. DISCUSSION ITEMS

A. Update on upcoming elections and outlook for 2023 legislative session

David Kelly offered opening remarks. Ron Lewis spoke of the state-wide elections (Governor, Lt. Governor, and Attorney General) noting that even though the races are close, he believes the Republicans will prevail.

Snapper Carr agreed with Mr. Lewis and added that he believes the Speaker of the House could be re-elected as well. He also stated that two new Senators, Tan Parker and Phil King, have ties to North Texas and both are former senior House members.

Mr. Kelly added his agreement that he does not anticipate turnover in the District's delegation. He advised that Representative Scott Sanford from McKinney is not running again, and it is likely that former McKinney City Council member Frederick Frasier will win that election. Mr. Kelly noted that the new Texas House District 70 in southeast Collin County is having a close race.

Mr. Kelly advised that he has been monitoring interim hearings for the Natural Resources and Water committees, adding that there are several issues being discussed though it is unclear what significant legislation, if any, will come out of those discussions.

Lynlie Wallace advised that there have been discussions in the interim hearings regarding groundwater and advised that Federal funding for water projects may be available. Mr. Lewis added that the Speaker's priority for the upcoming session is infrastructure.

B. Review of and discussion on Legislative Position Statement

David Kelly presented this item. He explained that the purpose of this item is to outline in writing the positions of the North Texas Municipal District (NTMWD) related to known or anticipated issues during the upcoming Texas legislative session. The intent is to outline both broad and specific positions to issues impacting the District and/or the Water, Wastewater and Solid Waste industries in Texas. Once formally adopted by the NTMWD Board of Directors, these positions will guide the actions of internal staff, legislative consultants, and legal counsel during the upcoming legislative sessions.

Mr. Kelly provided an overview of the following items to be included in the Position Statement:

- Support Increased funding for SWIFT Endowment – This will be the District's highest priority during this 88th Legislative Session. Mr. Kelly explained that the State Comptroller has projected that the state will have a budget surplus of over 28 billion dollars and a rainy-day fund of over 13 billion dollars. There will be many competing proposals for the allocation of this funding. The District will support directing at least \$1 billion of the

surplus towards the SWIFT endowment to allow for increasing the number and size of projects that are funded by Texas Water Development Board. Staff will engage in state-wide coalitions in this regard.

- Support for Texas Water Development Board
- Monitor Water Infrastructure Regulations and Investment Legislation
- Franchise Utility Law and Tree Ordinance Enforcement (suggested by Director Rick Crowley and will be discussed by the Committee in Executive Session)
- Support Alternative Delivery Guidance Authorities
- Municipal Utility Districts (suggested by Director Rick Crowley and will be discussed by the Committee in Executive Session)
- Support changes to the Texas Open Meetings Act (same as last session; no changes are expected)
- Oklahoma Red River Boundary Commission (will be discussed by the Committee in Executive Session)
- Texas Red River Boundary Commission (will be discussed by the Committee in Executive Session)
- Repose Periods
- Monitor Changes to Enabling Legislation

C. Update on Oklahoma Red River Boundary Commission

David Kelly reviewed this item briefly before Executive Session.

At 3:48 p.m. Committee Chair Fuller announced the need for an Executive Session of the Committee to discuss Items V. B & C. pursuant to Texas Government Code, Section 551.071, Consultation with Attorney.

Chair Fuller confirmed with staff that the public access line was disconnected and that the audio recording was disabled during the Executive Session discussion.

Open Session reconvened at 6:19 p.m. The public teleconference line was reconnected.

No action was taken in Executive Session. No action was taken in open session as a result of Executive Session.

D. Opportunity for Committee members to provide feedback on meeting or request potential future agenda items

There were no comments and no requests for potential future agenda items.

VI. ADJOURNMENT

There being no further business, the meeting of the Legislative Committee adjourned at 6:21 p.m.

APPROVED:


MARVIN FULLER
Chair