




**MINUTES**  
 Regular Meeting  
 Laguna Madre Water District  
 Board of Directors  
 Wednesday, May 22, 2024  
 5:30 PM – 7:25 PM  
 Board Room  
 105 Port Rd. Port Isabel, TX 78578

<b>1</b>	<p>The Chairman facilitated the meeting, and the following present constituted a quorum:</p> <p style="text-align: center;"></p> <p><b><u>PRESENT</u></b></p> <p>Scott Friedman, Chairman          Adam Lalonde, Vice-Chairman          William "Bill" Donahue, Director          Dave Boughter, Director</p> <p style="text-align: right;">arrived at 5:35 PM</p> <p><b><u>ABSENT</u></b></p> <p>Jason Starkey, Secretary</p> <p><b><u>LMWD STAFF</u></b></p> <p>Carlos J. Galvan, Jr., General Manager          Robert Gomez, Director of Operations          Charles Ortiz, District Engineer          Eduardo Salazar, Director of Finance          Enrique Samaniego, Purchasing Agent          Brandon Edge, Information Tech Specialist          Noe Cantu, Superintendent of Water          Brian Hansen, Attorney</p> <p><b><u>ABSENT</u></b></p> <p>Mary Gamboa, Human Resources          Santiago Ochoa, IV, Superintendent of Wastewater</p>	
<b>2</b>	<p><b><u>Pledge of Allegiance and Invocation.</u></b></p> <p>The meeting began with the Pledge of Allegiance, and D. Boughter said the Opening Prayer.</p>	

3	<p><u>Invitation to the Audience for Public Comments</u></p> <p>Comments:</p> <ul style="list-style-type: none"> <li>• C. Glavan recognized and congratulated the Staff and Attorney, Brian Hansen, who had aided in a victorious small claims suit.</li> <li>• R. Gomez announced appreciation to two District Employees who acquired licenses: <ul style="list-style-type: none"> <li>○ Abel Martinez with the Lift Station Pre-Treatment Department passed and acquired his Collection 1 license</li> <li>○ Joseph Moncivaiz with the WasteWater Department passed and acquired a Wastewater A license (he also already has an A license in Water).</li> </ul> </li> </ul>	PUBLIC COMMENTS
4	<p><u>Consider and discuss the possible approval of the Minutes from the Workshop Meeting and the Regular Meeting on April 24, 2024. (C. Galvan) </u></p> <p>Discussion: The Board approved the Minutes as presented.</p> <p style="text-align: center;"><u>The motion carried unanimously:</u></p> <p style="text-align: center;">MOVED BY D. BOUGHTER, SECONDED BY A. LALONDE.</p> <p style="text-align: center;">MOTION: MOVE TO APPROVE.</p>	MOTION CARRIED
5	<p><u>General Manager's Report </u></p> <p>Mr. Galvan reported on:</p> <p><u>Reservoir Levels</u> - The Board was given a printed copy of the Brownsville Area Reservoirs Monitored Water Supply (copy attached). C. Galvan noted that the water supply has been declining; as of August 6, 2023, it was at 25%, and as of today, it has dropped to 19.0%, with no rain gradually decreasing. The District's Drought Management remains in Stage 3 to conserve water and ensure the public follows the conservation measures. C. Galvan noted possible Stage 4 if water levels drop under 15%, which involves more water restrictions, and recommended that, as of now, it should be kept at and continue with Stage 3.</p>	GENERAL MANAGER'S REPORT
6	<p><u>Consider and discuss the possible approval of a November 5, 2024, General Election for the Laguna Madre Water District Board of Directors Membership to be administered by the Cameron County Elections Department. (C. Galvan)</u></p> <p>Discussion: The Board formally approved the Cameron County Elections Department to organize this year's election.</p> <p style="text-align: center;"><u>The motion carried unanimously:</u></p> <p style="text-align: center;">MOVED BY D. BOUGHTER, SECONDED BY A. LALONDE.</p> <p style="text-align: center;">MOTION: MOVE TO APPROVE.</p>	MOTION CARRIED

7	<p><u>Consider and discuss for possible approval the updated 2024 Hurricane Preparedness Operational Plan. (C. Galvan) 💧</u></p> <p>Discussion: C. Galvan reported there were minor changes in the update. The Board approved</p> <p style="text-align: center;"><u>The motion carried unanimously:</u>  <b>MOVED BY W. DONAHUE, SECONDED BY D. BOUGHTER.</b>  <b>MOTION: MOVE TO APPROVE.</b></p>	MOTION CARRIED
8	<p><u>Director of Operation's Report</u></p> <p>Mr. Gomez reported on:</p> <p><u>Monthly Report</u> – April's comparison to March concerning Service Orders and Call Outs illustrated a spike increase in the Distribution Department. The Collection and Maintenance Department significantly decreased. The Pre-Treatment and Lift Stations Department showed a slight decrease. Mr. Gomez gave each department's breakdown and described the services performed.</p>	DIRECTOR OF OPERATIONS REPORT
9	<p><u>District Engineer's Report</u> 💧</p> <p>Mr. Ortiz reported on:</p> <p><u>Drought Contingency Plan</u> – C. Ortiz reported on the next stage for critical water shortage conditions that initiate Stage 4 in the Drought Contingency Plan if water levels reach 15% or below. C. Ortiz noted that's never happened, but since the U. S. combined storage level in Amistad and Falcon Reservoirs is at 19%, it's best to be ready if it does happen. The target is to achieve a 15 % reduction in total water use.</p> <p>The Water Use Restrictions for Reducing Demand – All requirements of Stage 2 and 3 shall remain in effect during Stage 4 except:</p> <ul style="list-style-type: none"> <li>• The irrigation of landscaped areas shall be limited to designated watering days and times. The use of hose-end sprinklers or permanently installed automatic sprinkler systems is prohibited at all times.</li> <li>• Commercial car washes are limited to operation</li> <li>• No applications for new connections</li> </ul> <p>Response:</p> <ul style="list-style-type: none"> <li>• What is our enforcement, and who is our enforcement measure? – Justice of the Peace through the authority of the General Manager</li> <li>• Publication should be increased to encourage and educate the public</li> <li>• Do Multiple Builders in the area know that no applications for new connections will be prohibited? – Work on a newsletter to send out information. <ul style="list-style-type: none"> <li>○ More information for no new connections needs to be more specific for a better understanding.</li> </ul> </li> </ul>	DISTRICT ENGINEER'S REPORT

- Builders and city managers must be informed that there are no new connections.

Discuss Capital Bond Planning Committee- The Board reviewed the list of 9 potential members and agreed to formal approval at a regular meeting, subject to possibly adding more to have a total of 20 members serve on the committee.

Port Isabel Seawater Desalination Facility Public Information Presentation – Mr. Bill Norris from Norris Leal Engineering Water gave a PowerPoint presentation (copy attached), followed by the Board and Staff giving feedback and asking questions.

**Response:**

- Board discussion ensued regarding the low reservoir levels and the need to prepare and inform the community.
  - What happens to the Waterpark and businesses on the Island?
  - Discussion on triggers for Stage 4 (possible modifications)
- Discussion and suggestions:
  - Who will be giving the presentation?
  - The presentation needs to be short.
  - Do presentations at Churches
  - Considered as helpful information:
    - Let the public know it is not a water shortage problem; it's an infrastructure problem. If something happens to the river, we want to meet future demand and have an alternative source (meet the average daily flow to help provide the necessities).
    - It's not about growth. It's about supply
    - Better-tasting water (do away with home water systems)
    - Voter-Approved
    - How it's more efficient
    - Include a video and pictures
  - How effluent and wastewater are smaller capacity options; with effluent, you get 700-acre feet vs 5,000-acre feet with a desalination facility.
  - The price of our current water (average bill) compared to future water
  - Consider a possible Public Information Session in late June (not required but recommended)
  - Include in the presentation how Norrisleal was chosen for the Project
  - Have an Open to Public Information and individual presentations
  - Provide information on the search for funding assistance

10	<p><u>Discuss and take action on a Resolution Requesting Financial Participation from the Texas Water Development Board; Authorizing the Filing of an Application for Financial Participation; and Making Certain Findings in Connection therewith (Resolution No. 211-05-2024). (C. Ortiz) 💧</u></p> <p>Discussion: C. Ortiz noted that the submittal date is May 23. The Board approved the Resolution.</p> <p style="text-align: center;"><u>The motion carried unanimously:</u>  <b>MOVED BY A. LALONDE, SECONDED BY W. DONAHUE.</b>  <b>MOTION: MOVE TO APPROVE.</b></p>	MOTION CARRIED
11	<p><u>Consider and discuss for possible approval of Ratification of corrected Change Order No. 2 with Ferguson Service Systems, Inc. for Water System Improvements. (C. Ortiz) 💧</u></p> <p>Discussion: The Board approved the ratification of the change in the contract, an increase of \$753,507.71</p> <p style="text-align: center;"><u>The motion carried unanimously:</u>  <b>MOVED BY D. BOUGHTER, SECONDED BY A. LALONDE.</b>  <b>MOTION: MOVE TO APPROVE.</b></p>	MOTION CARRIED
12	<p><u>Consider and discuss for possible approval of Amendment No. 5 with Freese and Nichols, Inc. for Professional Engineering Services for Water System Improvements. (C. Ortiz) 💧</u></p> <p>Discussion: Charles Kurcherka, with Freese and Nichols, presented the item, followed by discussion and questions. The Board suggested a Workshop to discuss the first contract and make a comparison. The item was tabled for further review and discussion at a 4:30 PM Workshop on June 12, 2024, and deferred for consideration at the next regularly scheduled meeting on June 12, 2024.</p> <p style="text-align: center;"><u>The motion carried unanimously:</u>  <b>MOVED BY W. DONAHUE, SECONDED BY D. BOUGHTER.</b>  <b>MOTION: MOVE TO TABLE.</b></p>	TABLED


13	<p><u>Consider and discuss for possible approval of Petition for Annexation of 32.4 Acres of Land to Laguna Madre Water District from "Padre Island Castle" Development. (C. Ortiz) 💧</u></p> <p>Discussion: The Board approved the application and petition for annexation of Padre Island Castle Development (32.4 acres).</p> <p style="text-align: center;"><u>The motion carried unanimously:</u>  <b>MOVED BY D. BOUGHTER, SECONDED BY W. DONAHUE.</b>  <b>MOTION: MOVE TO APPROVE.</b></p>	MOTION CARRIED
14	<p><u>Consider and discuss for possible approval of Setting Date for Public Hearing on Petition for Annexation of "Padre Island Castle" Development to be held on June 26, 2024, at 5:30 PM and subsequently consider Order Adding Land for approval at the Regular Meeting following the Public Hearing. (C. Ortiz) 💧</u></p> <p>Discussion: The Board approved the order setting the date for the Public Hearing on Petition for Annexation of Padre Island Castle Development.</p> <p style="text-align: center;"><u>The motion carried unanimously:</u>  <b>MOVED BY A. LALONDE, SECONDED BY D. BOUGHTER.</b>  <b>MOTION: MOVE TO APPROVE.</b></p>	MOTION CARRIED
15	<p><u>Consider and discuss the possible approval of Financial Reports for February 2024. (E. Salazar) 💧</u></p> <p>Discussion: The Board approved as presented.</p> <p style="text-align: center;"><u>The motion carried unanimously:</u>  <b>MOVED BY D. BOUGHTER, SECONDED BY A. LALONDE.</b>  <b>MOTION: MOVE TO APPROVE.</b></p>	MOTION CARRIED

<p>16</p>	<p><u>Consider and discuss the possible ratification of the Meter Purchase for Long Island Village. (E. Samaniego) 🗨️</u></p> <p>Discussion: The Board approved the pre-order of Water Meters for Long Island Village Water and Sewer Improvements to be purchased before the price increase.</p> <p style="text-align: center;"><b><u>The motion carried unanimously:</u></b>  <b>MOVED BY W. DONAHUE, SECONDED BY A. LALONDE.</b>  <b>MOTION: MOVE TO APPROVE.</b></p>	<p>MOTION CARRIED</p>
<p>17</p>	<p><u>Consider and review Expenditures from April 1, 2024, to April 30, 2024. (C. Galvan) 🗨️</u></p> <p>Discussion: The Board accepted the expenditures as presented.</p> <p style="text-align: center;"><b><u>The expenditures acknowledged by:</u></b>  <b>W. DONAHUE, D. BOUGHTER, S. FRIEDMAN, and A. LALONDE.</b></p>	<p>ACKNOWLEDGED</p>
<p>18</p>	<p><b><u>EXECUTIVE SESSION</u></b> permitted by the Open Meeting Act, V. T. C. A., Government Code Section 551.001 Et. Seq., under Section 551.071, Consultation with Attorney; under Section 551.072, <u>Deliberations about Real Property:</u> 🗨️</p> <ul style="list-style-type: none"> <li>a. <u>Discussion and possible action concerning negotiations with Hess Corporation and Port Isabel-San Benito Navigation District for the Seawater Intake Structure and Pipeline.</u></li> <li>b. <u>Deliberation regarding the Evaluation of District Employees to wit: General Manager</u></li> </ul> <p>S. Friedman, Chairman of the Board of Directors of Laguna Madre Water District, hereby did the following:</p> <p>That an Executive Session was on the agenda for said meeting duly posted at the office of the District;</p> <p>Which authorizes the holding of such closed or Executive Session:</p> <p>Upon a motion by <u>Vice-Chair A. Lalonde</u> and seconded by <u>Director W. Donahue</u>, the Board convened into Executive Session at <u>7:04 PM</u>, and upon motion by <u>Director D. Boughter</u> and seconded by <u>Director W. Donahue</u>, Executive Session ended at <u>7:25 PM</u>.</p> <p>The only matters described in the Executive Session were discussed by the Board of Directors, who took action on the next item below;</p>	<p>EXECUTIVE SESSION</p>

16	<p><u>Consideration and action on EXECUTIVE SESSION item, if necessary.</u></p> <p>a. <u>Discussion and possible action concerning negotiations with Hess Corporation and Port Isabel-San Benito Navigation District for the Seawater Intake Structure and Pipeline.</u></p> <p>As discussed in the executive session, the Chairman entertained the motion to proceed as directed.</p> <p style="text-align: center;"><u>The motion carried unanimously:</u></p> <p style="text-align: center;">MOVED BY D. BOUGHTER, SECONDED BY W. DONAHUE.</p> <p style="text-align: center;">MOTION: PROCEED AS DIRECTED.</p> <p>b. <u>Deliberation regarding the Evaluation of District Employees to wit: General Manager</u></p> <p>The Chairman noted this item was postponed until further notice. No action was taken.</p>	EXECUTIVE SESSION
17	<p><u>Adjournment</u></p> <p>There was no further business; the meeting was adjourned.</p>	MEETING ADJOURNED @ 7:25 PM



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JASON STARKEY, SECRETARY



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SCOTT FRIEDMAN, CHAIRMAN



MINUTES APPROVED THIS 12<sup>TH</sup> DAY OF JUNE 2024.