



Board Agenda

Tuesday, April 19, 2022

Ellinger Chamber of Commerce Community Center

104 W. Colorado Sky St.

Ellinger, TX 78938

Earliest start time: 11 a.m.

Items From the Chair

- 1. Comments From the Public 3

Consent Items

- *2. Conveyance of Access Easement in Travis County 5
- 3. Minutes of Prior Meeting..... 8

Action/Discussion Items

- 4. Contracts and Contract Changes 12
- 5. LCRA Fiscal Year 2023 Business and Capital Plans
 - Opening Remarks
 - Wholesale Power Customer Communication (*1 p.m. time certain*)
 - LCRA
 - LCRA Transmission Services Corporation

***This agenda item requires the approval of at least 12 Board members.**

Executive Session

- 1. Lease of Canyon of the Eagles Nature Park
- 2. Litigation Update
- 3. Fiscal Year 2023 Business and Capital Plans
 - LCRA (Wholesale Power portion)
 - LCRA WSC Energy
 - WSC Energy II
 - GenTex Power Corporation

The Board also may go into executive session on any item listed above, pursuant to Chapter 551 of the Texas Government Code, including, but not limited to, sections 551.071, 551.072, 551.074, 551.076, 551.086, 551.089 and 418.183(f) of the Texas Government Code.

Legal Notice

Legal notices are available on the Texas secretary of state website 72 hours prior to the meeting at the following link: <https://www.sos.texas.gov/open/index.shtml>

FOR DISCUSSION

1. Comments From the Public

Summary

This part of the meeting is intended for comments from the public on topics under LCRA's jurisdiction but not related to an item on the Board of Directors agenda. No responses or action may be taken by the Board during public comments.

In order to address the Board, a member of the public is required to sign and complete the registration form at the entrance to the meeting room. Please see the Protocols for Public Communication at Board and Committee Meetings as shown in Exhibit A for details.

Any member of the public wishing to comment on an item listed on this agenda will be called to make comments at the appropriate time.

Exhibit(s)

A – Protocols for Public Communication at Board and Committee Meetings

EXHIBIT A

PROTOCOLS FOR PUBLIC COMMUNICATION AT BOARD AND COMMITTEE MEETINGS

Approved by the LCRA Board of Directors on Dec. 11, 2018

- 1. Oral Presentations on Issues Under LCRA's Jurisdiction.** Any person wishing to make an oral presentation at a Board meeting on any matter under LCRA's jurisdiction must complete a registration form that indicates the agenda item or other topic on which they wish to comment, along with the speaker's name, address and other relevant information. Any person making an oral presentation to the Board may distribute related materials to the Board at the meeting.
- 2. Time Allocation.** The presiding officer may limit the length of time for each speaker. Speakers may not trade or donate time to other speakers without permission from the presiding officer, and repetitive testimony shall be minimized.
- 3. Rules of Decorum.** Speakers and members of the audience must avoid disruptive behavior that interferes with the orderly conduct of a public meeting. Placards, banners, and hand-held signs are not allowed in Board or committee meetings, and speakers and members of the audience must avoid personal affronts, profanity, booing, excessive noise, and other disruptive conduct. The presiding officer may direct that anyone who disrupts a meeting be removed from the room.
- 4. Recording.** Any person making an audio or video recording of all or any part of a Board meeting must do so in a manner that is not disruptive to the meeting. During a meeting, members of the public must remain in or behind the public seating area and are not permitted to record from any other area of the meeting room.
- 5. Committee Meetings.** The protocols outlined in 1-4 above also apply to members of the public wishing to address any LCRA Board committee whose membership comprises the entirety of the LCRA Board on matters within the scope of each of those committees.

FOR ACTION (CONSENT)

2. Conveyance of Access Easement in Travis County

Proposed Motion

Authorize the general manager or his designee to convey to George and Kimberly Magoon a permanent access easement, being an approximately 0.140-acre tract, across a portion of LCRA Parcel TN-03 in Travis County.

Board Consideration

Section 8503.020(b) of the Texas Special District Local Laws Code requires the approval of at least 12 members of the LCRA Board of Directors to convey any interest in real property. LCRA Board Policy 401 – Land Resources requires the approval of the LCRA Board to convey easements across LCRA land.

Budget Status and Fiscal Impact

The fiscal year 2022 business plan contains the administrative costs associated with the conveyance of this easement. The proceeds of \$8,334 shall be directed to the Public Recreation and Conservation Land Acquisition Fund.

Summary

LCRA acquired Parcel TN-03 in 1935 for the purpose of creating Lake Travis. This property has frontage on Lake Travis and is located in the Cypress Creek area.

In 2021, George and Kimberly Magoon requested a 25-foot-wide, 0.140-acre easement across LCRA Parcel TN-03 to accommodate their access to their lakefront home. This is the only road access available to the Magoon's property.

LCRA will charge \$8,334 for the easement. This value was based on a review of Travis Central Appraisal District values of similar properties in the area.

The appropriate departments within LCRA reviewed the conveyance of this easement and determined the easement would have no adverse impact on LCRA operations. LCRA staff will complete environmental and cultural resource due diligence assessments in accordance with Board Policy 401.403 – Land Disposition before the conveyance of the easement.

Exhibit(s)

- A – Vicinity Map
- B – Site Map

EXHIBIT A

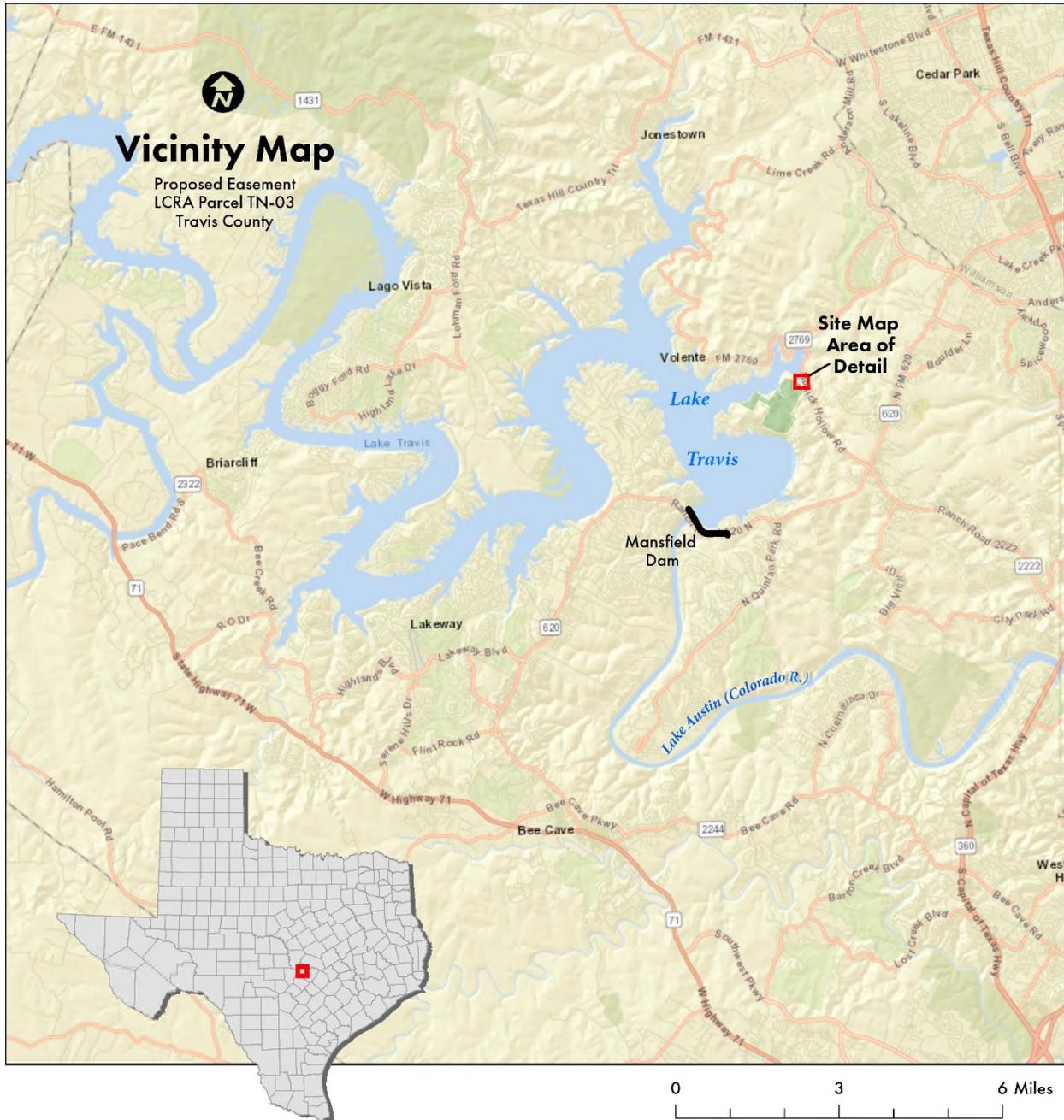


EXHIBIT B



FOR ACTION (CONSENT)

3. Minutes of Prior Meeting

Proposed Motion

Approve the minutes of the March 23, 2022, meeting.

Board Consideration

Section 2.04 of the LCRA bylaws requires the secretary to keep minutes of all meetings of the Board of Directors.

Budget Status and Fiscal Impact

Approval of this item will have no budgetary or fiscal impact.

Summary

Staff presents the minutes of each meeting to the Board for approval.

Exhibit(s)

A – Minutes of March 23, 2022, meeting

EXHIBIT A

Minutes Digest
March 23, 2022

- 22-18 Declaration of an approximately 0.036-acre tract of land, being a portion of LCRA Parcel JE-03 in Burnet County, nonessential, and authorization for the general manager or his designee to sell the property to the adjoining landowner.
- 22-19 Declaration of an approximately 0.112-acre tract of land, being a portion of LCRA Parcel BW-09 in Llano County, nonessential, and authorization for the general manager or his designee to sell the property to the adjoining landowner.
- 22-20 Approval of the minutes of the Feb. 23, 2022, meeting.
- 22-21 Authorization for the general manager or his designee to negotiate and execute the purchase of the current leasehold interest at Canyon of the Eagles from Calibre Hospitality, LLC.

MINUTES OF THE REGULAR MEETING OF THE
BOARD OF DIRECTORS OF THE
LOWER COLORADO RIVER AUTHORITY
Austin, Texas
March 23, 2022

Pursuant to notice posted in accordance with the Texas Open Meetings Act, the Board of Directors (Board) of the Lower Colorado River Authority (LCRA) convened in a regular meeting at 10:09 a.m. Wednesday, March 23, 2022, in the Board Room of the Hancock Building, at the principal office of LCRA, 3700 Lake Austin Blvd., Austin, Travis County, Texas. The following directors were present, constituting a quorum:

Timothy Timmerman, Chair
Stephen F. Cooper, Vice Chair
Joseph M. "Joe" Crane, Secretary
Michael L. "Mike" Allen
Matthew L. "Matt" Arthur
Melissa K. Blanding
Laura D. Figueroa
Carol Freeman
Raymond A. "Ray" Gill Jr.
Robert "Bobby" Lewis
Thomas Michael Martine
Margaret D. "Meg" Voelter
Martha Leigh M. Whitten
Nancy Eckert Yeary

Absent: Thomas L. "Tom" Kelley

Chair Timmerman convened the meeting at 10:09 a.m.

There were no public comments during the meeting [Agenda Item 1].

General Manager Phil Wilson gave the Board an update. Focusing on safety, Wilson discussed improvements in LCRA's preventable vehicle incident rates; discussed the LCRA Steps Forward Day scheduled April 1; and shared a video about one of LCRA's senior water quality coordinators and the important work she does for the people LCRA serves.

The Board next took action on the consent agenda. Upon motion by Director Whitten, seconded by Director Voelter, the Board unanimously approved consent items 2, 3 and 4 by a vote of 14 to 0 as follows:

22-18 Declaration of an approximately 0.036-acre tract of land, being a portion of LCRA Parcel JE-03 in Burnet County, nonessential (no longer necessary, convenient or of beneficial use to the business of LCRA), and authorization for the general manager or

his designee to sell the property to the adjoining landowner, as recommended by staff in Consent Item 2 [attached hereto as Exhibit A].

22-19 Declaration of an approximately 0.112-acre tract of land, being a portion of LCRA Parcel BW-09 in Llano County, nonessential (no longer necessary, convenient or of beneficial use to the business of LCRA), and authorization for the general manager or his designee to sell the property to the adjoining landowner, as recommended by staff in Consent Item 3 [attached hereto as Exhibit B].

22-20 Approval of the minutes of the Feb. 23, 2022, meeting [Consent Item 4].

Chair Timmerman declared the meeting to be in executive session at 10:17 a.m., pursuant to sections 551.071, 551.072, 551.074, 551.076, 551.086, 551.089 and 418.183(f) of the Texas Government Code. Executive session ended, and Chair Timmerman declared the meeting to be in public session at 1:06 p.m.

22-21 Upon motion by Director Yeary, seconded by Vice Chair Cooper, the Board unanimously authorized the general manager or his designee to negotiate and execute the purchase of the current leasehold interest at Canyon of the Eagles from Calibre Hospitality, LLC by a vote of 14 to 0.

There being no further business to come before the Board, Chair Timmerman adjourned the meeting at 1:07 p.m.

Joseph M. Crane
Secretary
LCRA Board of Directors
Approved: April 19, 2022

FOR ACTION

4. Contracts and Contract Changes

Proposed Motion

Authorize the general manager or his designee to negotiate and execute the following contract as shown in the attached exhibit.

Board Consideration

LCRA Board Policy 308 – Purchasing Contracts establishes requirements for contracts for the purchase of goods and services. LCRA has two types of contracts, master and one-time.

- **Master contract:** Establishes the terms and conditions under which LCRA may purchase goods and/or services during a fixed period of time to fulfill its business plan. These purchases are budgeted in the capital and operations and maintenance budgets. Master contracts are not commitments to expend funds. Rather, purchase orders placed against these master contracts are commitments to spend.
- **One-time contract:** A contract for the purchase of a definite quantity of goods or services under a single scope of work either during a fixed period of time or for an indefinite period of time until the goods have been delivered or services have been completed. These contracts normally include commitments to expend funds.

Budget Status and Fiscal Impact

Board of Directors approval of contracts and contract changes does not create a commitment to spend funds; rather, all orders and commitments will be for budgeted items contained in separately authorized operations and capital budgets or pre-spending authorizations.

Summary

Supplier (Contract Number)	Contract Type	Approval Amount	Contract Description
New Contracts			
Nicholson Construction Company (6010)	One Time	\$75 million	Arbuckle Reservoir construction services

Presenter(s)

Jim Travis
Chief Financial Officer

Exhibit(s)

A – New Contracts

EXHIBIT A

New Contracts

New contracts that require Board approval under Board Policy 308 are noted in Exhibit A.

Contract No. 6010
Supplier: Nicholson Construction Company
Contract Amount: Not to exceed \$75 million
Contract Length: Until project is complete
Description: This one-time contract is for construction services for remaining work for the Arbuckle Reservoir.

Background:

- LCRA originally engaged Nicholson Construction Company for the first three phases of work on the Arbuckle Reservoir and, subsequently, selected Nicholson to perform the remaining work.
- The \$75 million total will be used through the remaining life of the project.

Actions:

- Staff recommends awarding this contract to Nicholson Construction Company based on the sole source departure process.

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