



Board Agenda
Tuesday, April 18, 2023
The Bevy Hotel Boerne
Mountain Laurel Room
101 Herff Road
Boerne, TX 78006
Earliest start time: 1 p.m.

Items From the Chair

- 1. Comments From the Public 3

Consent Items

- *2. Conveyance of Access Easements in Matagorda County
to Bay City 35 LLC..... 5
- 3. Minutes of Prior Meeting..... 8

Action Items

- 4. Authorization to Negotiate, Execute and Close a License Purchase
Agreement for 900-Megahertz Broadband Licenses 12

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

Executive Session

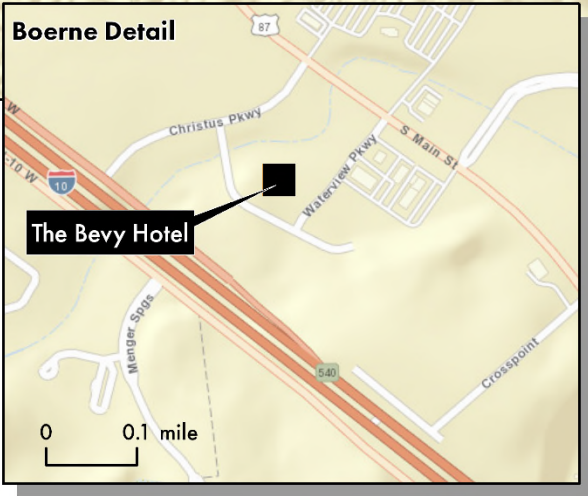
- 1. Legislative Update
- 2. Litigation Update

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>

The Bevy Hotel
Doubletree by Hilton
101 Herff Road
Boerne, TX 78006



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.

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

FOR ACTION (CONSENT)

2. Conveyance of Access Easements in Matagorda County to Bay City 35 LLC

Proposed Motion

Authorize the general manager or his designee to grant a 0.185-acre easement and a 0.138-acre easement across an LCRA-owned irrigation canal in the Gulf Coast Agricultural Division in Matagorda County to the adjoining landowner.

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 2023 business plan contains the administrative costs associated with the conveyance of these easements. The proceeds of \$10,000 will be credited to the LCRA Strategic Reserve Fund.

Summary

The landowner, Bay City 35 LLC, owns property adjacent to an LCRA-owned canal in Matagorda County. The landowner asked LCRA to convey easements allowing storm sewer crossings to serve a single-family residential subdivision. The canal is part of the Gulf Coast Agricultural Division's canal system.

LCRA staff reviewed the available market data and determined that \$10,000 is at or above the market value of the easements to be conveyed. Bay City 35 LLC is working with LCRA to approve construction plans, which require the installation of two storm culvert crossings.

LCRA staff will complete and document environmental and cultural due diligence assessments in accordance with Board Policy 401.403 – Land Disposition before the conveyance of the easements.

Exhibit(s)

- A – Vicinity Map
- B – Site Map

EXHIBIT A

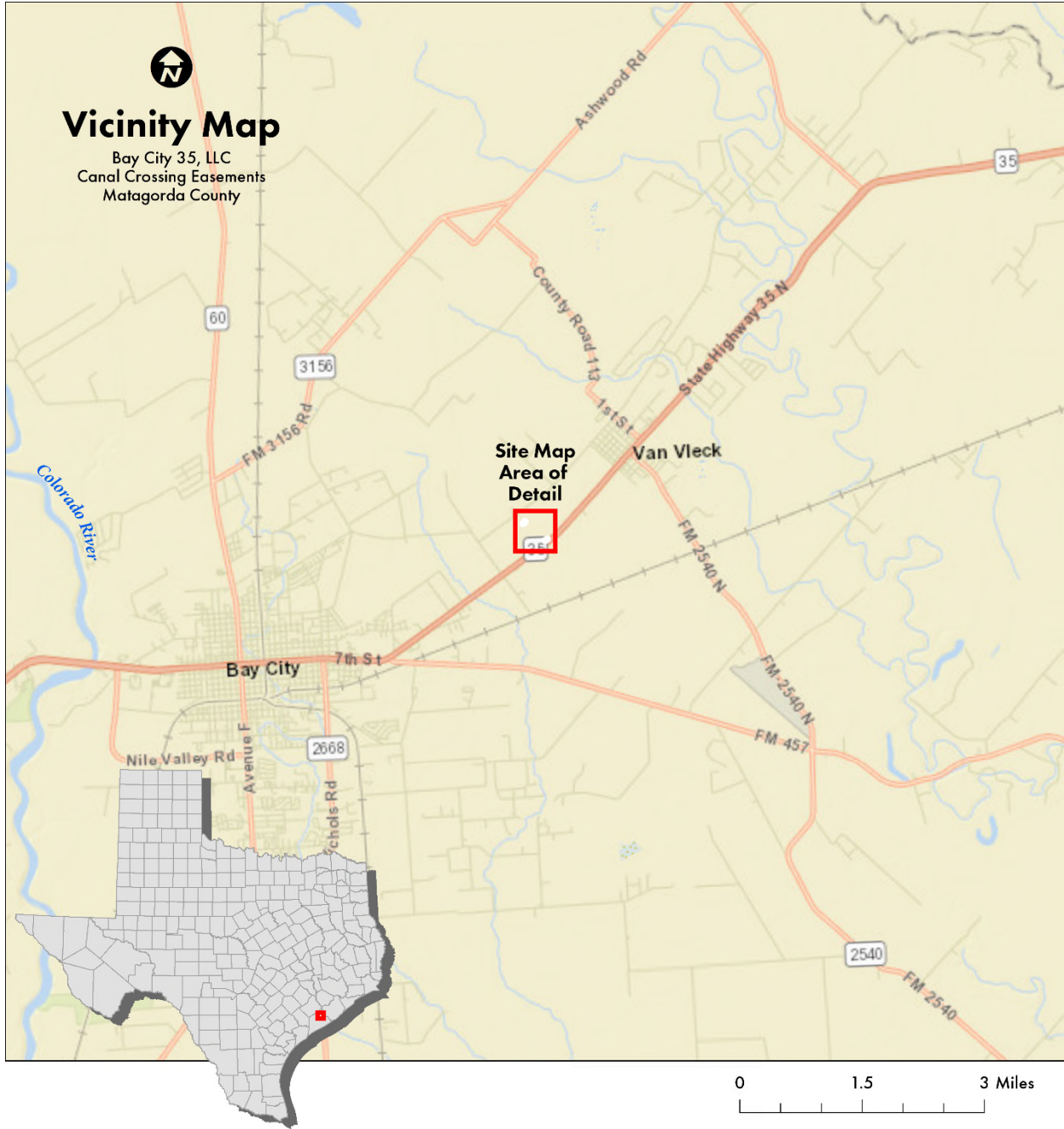


EXHIBIT B



FOR ACTION (CONSENT)

3. Minutes of Prior Meeting

Proposed Motion

Approve the minutes of the March 22, 2023, 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 22, 2023, meeting

EXHIBIT A

Minutes Digest
March 22, 2023

- 23-12 Approval of the minutes of the Feb. 22, 2023, meeting.
- 23-13 Approval of an amendment to the fiscal year 2023 LCRA Transmission Services Corporation capital plan to increase authorization for capital spending in FY 2023 from \$488.7 million to \$750 million.
- 23-14 Approval of an amendment to the fiscal year 2023 LCRA capital plan to increase authorization for capital spending in FY 2023 from \$180.6 million to \$213 million.
- 23-15 Authorization for the general manager or his designee to negotiate and execute the following contracts and contract changes: Contract No. 6203 (Pascor Atlantic Corporation); Contract No. 6208 (The Day & Zimmermann Group Inc.); Contract No. 4823 (Hubbell Power Systems Inc.); Contract No. 5122 (Dailey-Wells Communications Inc.); Contract No. 5343 (Techline, Inc); Contract No. 5539 (SIEMENS Energy Inc.); and Contract No. 5441 (Hitachi Energy USA Inc.).

MINUTES OF THE REGULAR MEETING OF THE
BOARD OF DIRECTORS OF THE
LOWER COLORADO RIVER AUTHORITY
Austin, Texas
March 22, 2023

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 10:58 a.m. Wednesday, March 22, 2023, in Conference Rooms 504 and 505 of Building A at LCRA's Dalchau Service Center, 3505 Montopolis Drive, 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
Carol Freeman
Robert "Bobby" Lewis
Thomas Michael Martine
Margaret D. "Meg" Voelter
Martha Leigh M. Whitten
Nancy Eckert Yeary

Absent: Matthew L. "Matt" Arthur
Melissa K. Blanding
Laura D. Figueroa
Raymond A. "Ray" Gill Jr.
Thomas L. "Tom" Kelley

Chair Timmerman convened the meeting at 10:58 a.m.

The Board heard public comments [Agenda Item 1]. Cindy Smiley, speaking on behalf of the Central Texas Water Coalition, requested LCRA add a water update to the Board agendas and commented on LCRA's outreach to marina customers and the need to initiate an update to the 2020 Water Management Plan. Shannon Hamilton, executive director of the CTWC, asked questions about data contained in the River Operations Report and commented on current drought conditions, the uncertainty in planning for an El Niño and the need to plan for a sustainable future for Central Texas.

The Board next took action on the consent agenda.

23-12 Upon motion by Director Whitten, seconded by Director Voelter, the Board unanimously approved the minutes of the Feb. 22, 2023, meeting [Consent Item 2] by a vote of 10 to 0.

23-13 Chief Financial Officer Jim Travis presented for consideration a staff recommendation, described in Agenda Item 3 [attached hereto as Exhibit A], that the Board approve an amendment to the fiscal year 2023 LCRA Transmission Services Corporation capital plan to increase authorization for capital spending in FY 2023 from \$488.7 million to \$750 million. Upon motion by Vice Chair Cooper, seconded by Director Lewis, the recommendation was unanimously approved by a vote of 10 to 0.

23-14 Chief Financial Officer Jim Travis presented for consideration a staff recommendation, described in Agenda Item 4 [attached hereto as Exhibit B], that the Board approve an amendment to the fiscal year 2023 LCRA capital plan to increase authorization for capital spending in FY 2023 from \$180.6 million to \$213 million. Upon motion by Director Crane, seconded by Director Lewis, the recommendation was unanimously approved by a vote of 10 to 0.

23-15 Vice President of Supply Chain Matt Chavez presented for consideration a staff recommendation, described in Agenda Item 5 [attached hereto as Exhibit C], that the Board authorize the general manager or his designee to negotiate and execute the following contracts and contract changes: Contract No. 6203 (Pascor Atlantic Corporation); Contract No. 6208 (The Day & Zimmermann Group Inc.); Contract No. 4823 (Hubbell Power Systems Inc.); Contract No. 5122 (Dailey-Wells Communications Inc.); Contract No. 5343 (Techline, Inc); Contract No. 5539 (SIEMENS Energy Inc.); and Contract No. 5441 (Hitachi Energy USA Inc.). Upon motion by Director Lewis, seconded by Director Martine, the recommendation was unanimously approved by a vote of 10 to 0.

Chair Timmerman declared the meeting to be in executive session at 11:15 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 2:07 p.m.

There being no further business to come before the Board, Chair Timmerman adjourned the meeting at 2:07 p.m.

Joseph M. Crane
Secretary
LCRA Board of Directors
Approved: April 18, 2023

FOR ACTION

4. Authorization to Negotiate, Execute and Close a License Purchase Agreement for 900-Megahertz Broadband Licenses

Proposed Motion

Authorize the general manager or his designee to negotiate, execute and do all things necessary to close on a License Purchase Agreement with PDV Spectrum Holding Company, LLC in an amount that is consistent with LCRA's policies and business and capital plans, for the purchase of 900-megahertz broadband licenses for 68 counties within LCRA's service territory.

Budget Status and Fiscal Impact

This project was previously included in the LCRA fiscal year 2023 business and capital plans and will have no impact on current LCRA rates.

Summary

LCRA owns and operates a trunked 900-MHz narrowband radio system to serve LCRA's communication needs within its service territory, which it shares with governmental entities, electric utilities and other public safety entities. In May 2020, the Federal Communications Commission realigned the 900-MHz band to make available a portion of the band for the deployment of broadband services and technologies, and the FCC created the regulatory framework for 900-MHz broadband licensing. The FCC's realignment of the 900-MHz band poses long-term risks to LCRA's existing 900-MHz radio system. LCRA staff explored several options to address the long-term risks of this 900-MHz band realignment and presented its conclusions to the Board of Directors.

To address these long-term risks, staff recommends that LCRA deploy a broadband system in the realigned 900-MHz band to improve the reliability, capacity and capability of LCRA's telecommunications system and to make the system more maintainable. LCRA must negotiate with Anterix Inc. and its affiliate PDV Spectrum Holding Company, LLC for their 900-MHz spectrum to have sufficient spectrum to deploy a broadband system in the band.

After consideration and discussion with the Board, LCRA staff recommends negotiating, executing and closing on a License Purchase Agreement with PDV Spectrum Holding Company to obtain the broadband licenses necessary to deploy a broadband system in the 900-MHz band.

Presenter(s)

Ken Price
Chief Operating Officer