

THE STATE OF TEXAS * GROUNDWATER CONSERVATION DISTRICT
COUNTY OF KENEDY * OF KENEDY COUNTY, TEXAS

On the 15th day of January, 2020, at 9:00 AM, a regular meeting of the Kenedy County Groundwater Conservation District was held at the Kenedy County Courthouse Courtroom in Sarita, Texas.

Directors present:

Chuck Burns, President
Homero Vera, Vice-President
Dave Delaney, Secretary
Danny Butler, Member

Also present:

Andy Garza, General Manager
Leo Villarreal, Administrative Assistant
Louie Pena, Brush Country GCD
Felix Saenz, Brush Country GCD
Mary Sahs, Consulting Attorney
Dr. Venki Uddameri, Hydrology Consultant
Monica Jacobs, La Paloma Ranch legal counsel (via telephone)

Absent:

Craig Weiland

1. Call Meeting to Order

Chuck Burns, President, called the meeting to order at 9:05 AM.

2. Public Comments

No public comments were offered.

3. Discuss & Act on Minutes of December 20, 2019 Regular Meeting

President Chuck Burns presented to the Directors the minutes of the December 20, 2019 regular meeting.

Homero Vera moved and Danny Butler seconded the motion; the motion passed unanimously that the December 20, 2019 regular meeting minutes be accepted as presented.

4. Receive General Manager's Activity Report & Act, If Necessary, Regarding:

- a. Communications**
- b. Well registrations**
- c. Brush Country GCD meeting**

- d. Duval County GCD meeting**
- e. GMA-16 meeting; Jan. 28, 2020**
- f. Region N meeting**
- g. Joint meeting of TX Senate committees to consider interim committee charges**
- h. Water use reports for 2019**
- i. News articles**
- j. Other**

Andy Garza, General Manager, reported on the following:

a. Communications: Garza reported that since the District's meeting in December, 2019, he had communicated with Trey Wright, Kleberg county landowner, regarding the registration of a water well; Raul Villarreal, Farm Bureau agent, regarding thoughts on the Petition for Inquiry filed on the Starr County GCD; Mary Sahs and Dr. Uddameri, legal counsel and hydrologist, respectively, regarding brackish groundwater production rules, and Monica Jacobs, attorney representing La Paloma ranch, regarding the development of brackish groundwater production rules.

b. Well registrations: Garza reported that no wells had been registered since the last meeting in December, 2019.

c. Brush Country GCD meeting: Garza informed the Directors that the Brush Country GCD would meet on Jan. 28, 2020.

d. Duval County GCD meeting: Garza stated that the Duval County GCD will hold its next meeting on January 15, 2020 in Benavides, TX.

e. GMA-16 meeting; Jan. 28, 2020: Garza informed the Directors that GMA-16's next meeting will be on January 28, 2010 in Falfurrias, TX.

f. Region N meeting: Garza reported that Region N will be meeting on January 16, 2020 in Robstown, TX.

g. Joint meeting of TX Senate committees to consider interim committee charges: Garza informed the Directors that he would be attending a joint meeting of the Senate Water and Rural Affairs and Natural Resources and Economic Development committees on January 22, 2020 in Austin, TX.

h. Water use reports for 2019: Garza reported that water use reports for 2019 are due on January 31, 2020.

i. News articles: Garza provided the Directors with news articles pertinent to groundwater issues.

j. Other: There was nothing to report.

5. Discuss and Act, If Necessary, On Rulemaking for Brackish Groundwater Production

Andy Garza and Leo Villarreal informed the Directors that Mary Sahs had transmitted that today a confidential memorandum that will be distributed to the Directors. Mary Sahs has requested that the memorandum be treated as an attorney-client communication. Andy Garza reported that both Mary Sahs and Dr. Venki Uddameri will attend the GCD meeting in January, 2020 and develop preliminary data for the establishment of brackish groundwater production rules.

No vote was needed and none was taken.

6. Receive Update on Petition for Inquiry Regarding the Starr County GCD

Andy Garza informed the Directors that he had attended a meeting convened by the Review Panel tasked with conducting a Petition of Inquiry regarding the Starr County GCD. Garza stated the Review Panel had done a very good job during the conduct of the meeting. The Review Panel will now compile a draft report with recommendations and submit to the TCEQ prior to the next meeting scheduled for February 13, 2020 in Austin, TX.

No vote was needed and none was taken.

7. Discuss & Act on Reimbursement of 2019 Mileage for Directors and Staff

Leo Villarreal informed the Directors that the reimbursement for mileage incurred in 2019 needed to be approved for Chuck Burns, Danny Butler and Leo Villarreal.

Dave Delaney moved and Homero Vera seconded the motion; the motion passed unanimously to reimburse Chuck Burns, Danny Butler and Leo Villarreal for mileage incurred in 2019.

8. Discuss & Act on 4th Quarter Investment Report

Leo Villarreal presented to the Directors the 4th quarter, 2019, investment report in which he reported that beginning checking balance was \$192,763.16 and the ending balance for the quarter was \$229,242.39. Villarreal also reported that the District's investment position with Texas CLASS had increased from \$526,633.71 to \$528,316.39 during the 4th quarter, 2019.

Dave Delaney moved and Homero Vera seconded the motion; the motion passed unanimously to accept the 4th quarter, 2019 investment as presented.

9. Receive Report on 2020 Director's Election, Precinct 3 & 4

Leo Villarreal informed the board that the directors from precincts 3 and 4 were up for reelection in November, 2020. Chuck Burns is the director for precinct 3 and Danny Butler represents precinct 4.

No vote was needed and none was taken.

10. Executive Session: Pursuant to TX Gov't Code, Sec. 551-071, Consultation with Attorney Regarding Brackish Water Issues, Including House Bill 722

Homero Vera moved and Dave Delaney seconded the motion; the motion passed unanimously for the board of directors to go into executive session to discuss development of brackish groundwater production rules at 9:30 AM.

11. Open Session: Discuss & Act on Matters Addressed in Executive Session

Danny Butler moved and Dave Delaney seconded the motion; the motion passed unanimously to return to open session at 11:40 AM.

Dave Delaney moved and Danny Butler seconded the motion; the motion passed unanimously to authorize Mary Sahs to attend the GMA-16 meeting on January 28, 2020 and communicate pertinent to brackish groundwater production rules with John Meyer from the TWDB.

12. Discuss & Act on Date for Next Regular Board Meeting

Chuck Burns informed the Directors that a date needed to be set for the next regular meeting.

Dave Delaney moved and Danny Butler seconded the motion; the motion passed unanimously to hold the next regular board meeting at 10:30 AM on February 19, 2020 in the Hearings Room of the Kenedy County Appraisal District office.

13. Discuss & Act on Payment Bills

Chuck Burns presented the bills to the Directors for consideration and payment.


Danny Butler moved and Dave Delaney seconded the motion; the motion passed unanimously to pay the bills as presented.

14. Adjournment

There being no other business to come before the Board of Directors, Danny Butler moved and Craig Weiland seconded the motion; the motion passed unanimously that the meeting be adjourned at 11:35 AM.

David Delaney, Secretary

ATTESTED TO:



Chuck Burns, President