

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

On the 16th day of September, 2020, at 9:00 AM, a regular meeting of the Kenedy County Groundwater Conservation District was held in the Kenedy County Courthouse Courtroom.

Directors present:

Chuck Burns, President
Homero Vera, Vice-President
Dave Delaney, Secretary
Danny Butler, Member
Craig Weiland, Member (via telephone)

Also present:

Andy Garza, General Manager
Leo Villarreal, Administrative Assistant
Mary Sahs, Legal Counsel
Dr. Venki Uddameri, Hydrologist
Louie Pena, Brush Country GCD(via telephone)
Monica Jacobs, La Paloma Ranch (via telephone)
Verl Cash, King Ranch, Inc.
Margaret Kelly, John Womack Co.
Louie Longoria, John Womack Co.

1. Call Meeting to Order

Chuck Burns, President, established a quorum and called the meeting to order at 9:00 AM.

2. Public Comments

No public comments were offered.

3. Discuss & Act on Minutes of August 19, 2020 Regular Meeting

President Chuck Burns presented to the Directors the minutes of the August 19, 2020 regular meeting.

Danny Butler moved and Homero Vera seconded the motion; the motion passed unanimously that the August 19, 2020 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. Texas Groundwater Summit**
- f. Region N meeting**
- g. Alice, TX desal plant**
- h. Water**
- i. Summer, 2020 water chemistry report**
- k. 4-H Water Ambassador Program**
- l. News articles**
- m. Other**

Andy Garza, General Manager, reported on the following:

a. Communications: Garza reported that since the District's August, 2020 meeting, he had communicated with Willis Tinsley, King Ranch Area Manager, regarding the collection of water samples from Encino and Norias; Dirk Aaron, Clear Water GCD Manager, regarding status of progress made by the Starr County GCD as a result of orders from the TCEQ and the TAGD executive committee regarding virtual meeting that was held on Sept. 10, 2020.

b. Well registrations: Garza reported that the District had received paperwork from King Ranch on a replacement well during month of August, 2020.

c. Brush Country GCD meeting: Garza informed the Directors that he had attended a meeting of the Brush Country GCD on August 25, 2020 and reviewed the highlights of the meeting with the Directors.

d. Duval County GCD meeting: Garza reported that he had attended a meeting of the Duval County GCD held on August 26, 2020 and reviewed the agenda with the Directors. Garza stated that the Duval County GCD had hired David Towler as their new legal counsel.

e. Texas Groundwater Summit: Garza informed the Directors that he had attended virtually the Texas Groundwater Summit on Sept. 1-3, 2020. Garza reviewed the summit program with the Directors.

f. Region N meeting: Garza reported that he had participated in a virtual meeting of Region N on Sept. 3, 2020 and reviewed the agenda with the Directors.

g. Alice Desal plant: Garza informed the Directors that the City of Alice, TX had contracted with an entity from Florida to design, build and operate a desalination plant for about 12 years after which the plant would revert back to the city.

h. Water chemistry data: Garza shared with the Directors water chemistry data from a Burkeville/Jasper well in the southwest part of the District.

i. News articles: Garza handed out news articles pertinent to groundwater issues.

j. Other: Garza informed the Directors that the TWDB would hold an online Stakeholder Advisory Forum regarding the proposed groundwater availability model (GAM) for GMAs 15 and 16 on Sept. 29, 2020.

5. Hold Work Session and Act, If Necessary, on HB 722 Rule Amendments Regarding Brackish Groundwater Production Permits

EXECUTIVE SESSION: The Board of Directors went into executive session at 10:30 AM for consultation concerning attorney-client matters as provided by Section 551.071 of the Texas Gov't Code.

OPEN SESSION: The Board of Directors returned to open session at 10:35 AM and no action was taken on matters discussed in executive session.

Mary Sahs and Dr. Uddameri reviewed in detail with the Directors the sections of the proposed brackish groundwater production rules relative to well integrity and subsidence.

No action was needed and none was taken.

6. Discuss and Act on Comments Regarding HB 722 to House Natural Resources Committee

Mary Sahs reviewed with the Directors the comments that she has prepared for the District for submission to the Texas House Natural Resources Committee. The comments are relative to Interim Charge 3 concerning the joint planning process for groundwater and the achievement of the desired conditions for aquifers by groundwater conservation districts.

Dave Delaney moved and Danny Butler seconded the motion; the motion passed unanimously to submit the comments with minor changes to the Texas House Natural Resources Committee.

7. Discuss & Act on Comments to the Texas Water Development Board Regarding Proposed Amendment(s) to Texas Administrative Code, Chapter 356, Relative to Brackish Groundwater Production Zones

Mary Sahs and Dr. Uddameri reviewed with the Directors the district's proposed comments that will be submitted to the Texas Water Development Board regarding Chapter 356 of the Texas Water Code and the designation of brackish groundwater production zones.

Homero Vera moved and Dave Delaney seconded the motion; the motion passed unanimously that the proposed comments be submitted to the Texas Water Development Board.

8. Discuss & Act on Mary Sahs Legislative Activities Report

Mary Sahs provided the Directors with her September, 2020 Legislative Activities report.

Danny Butler moved and Homero Vera seconded the motion; the motion passed unanimously to accept the Legislative Activities report as presented.

9. Hold Public Hearing on Proposed 2021 Budget

Chuck Burns closed the regular meeting and opened the Public Hearing at 9:45 AM and asked for comments on the proposed 2021 budget from the public. No comments were offered. The Public Hearing was closed at 9:47 AM.

10. Discuss & Act on Adoption of 2021 Budget

Chuck Burns opened the regular the meeting and reviewed with the Directors the proposed 2021 budget and recommended \$223,896.00.

Dave Delaney moved and Danny Butler seconded the motion: the motion passed unanimously to adopt the 2021 budget in the amount of \$223,896.00.

11. Hold Public Hearing on Proposed 2020 Tax Rate

Chuck Burns closed the regular meeting and opened the Public Hearing at 9:50 AM and asked for comments from the public on the proposed 2020 tax rate of \$0.0128/\$100 valuation. No comments were offered. The Public Hearing was closed at 9:52 AM.

12. Discuss and Act on Adoption of 2020 Tax Rate

Chuck Burns opened the regular the meeting and reviewed with the Directors the proposed 2020 tax rate and recommended \$0.0128/\$100 valuation.

Danny Butler moved and Homero Vera seconded the motion: the motion passed unanimously to adopt the 2020 tax rate of \$0.0128/\$100 valuation.

13. Discuss & Act to Confirm Date to Certify 2020 Tax Roll

Leo Villarreal informed the Directors that the District was required to certify the 2020 tax roll no later than September 30, 2020.

Dave Delaney moved and Homero Vera seconded the motion; the motion passed unanimously to meet and certify the 2020 tax roll on September 28, 2020 in Norias, TX.

14. Discuss & Act on 2019 Audit Report

Margaret Kelly, accountant with the John Womack Co., reviewed with the Directors the highlights of the 2019 district audit. Overall, Ms. Kelly stated that the Kenedy County GCD was in good financial standing.

Dave Delaney moved and Danny Butler seconded the motion; the motion passed unanimously to accept the district's 2019 audit as presented by John Womack & Co., P.C.

15. 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.

Danny Butler moved and Homero Vera seconded the motion; the motion passed unanimously to hold the next regular board meeting at 10:30 AM on October 21, 2020 in Sarita, TX.

16. Discuss & Act on Payment of Bills for September, 2020

Chuck Burns presented the bills from September, 2020 to the Directors for consideration and payment.


Homero Vera moved and Dave Delaney seconded the motion; the motion passed unanimously to officially approve the September, 2020 bills as presented.

17. Adjournment

There being no other business to come before the Board of Directors, Danny Butler moved and Homero Vera seconded the motion; the motion passed unanimously that the meeting be adjourned at 12:10 PM.

David Delaney, Secretary

ATTESTED TO:



Chuck Burns, President