

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

On the 25th day of January, 2021, at 9:00 AM, a regular meeting of the Kenedy County Groundwater Conservation District was held in the Kenedy County Courthouse Courtroom. Both a phone number, 877-309-2073, and an access code, 833703573, were provided for those who desired to participate in the meeting via telephone.

Directors present:

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

Also present:

Andy Garza, General Manager
Leo Villarreal, Administrative Assistant
Louie Pena, Brush Country GCD (via telephone)
Monica Jacobs, La Paloma Ranch (via telephone)
George Gonzalez, Duval County GCD (via telephone)
Verl Cash, King Ranch, Inc.
Mary Sahs, Legal counsel
Dr. Venki Uddameri, Hydrology consultant
Diana Nichols, Kelly, Hart & Hallman law firm (via telephone)

1. Call Meeting to Order

Chuck Burns, President, with a quorum being present, called the meeting to order at 9:00 AM.

2. Public Comments

No public comments were offered.

3. Discuss & Act on Minutes of December 18, 2020 Regular Meeting

President Chuck Burns presented the Directors with the minutes of the December 18, 2020 regular meeting.

Homero Vera moved and Dave Delaney seconded the motion; the motion passed unanimously that the December 18, 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. TAGD virtual special meeting**
- f. GMA-16 meeting**
- g. 2020 water use reports**
- h. Regional water planning newsletter for January, 2021**
- i. News articles**
- j. Database update**
- k. Other**

Andy Garza, General Manager, reported on the following:

a. Communications: Garza reported that since the District's December, 2020 meeting, he had communicated with Bart Dupont, La Paloma Ranch, regarding paperwork on a replacement well; Andrew Gonzalez, legislative aide for Senator Lucio, regarding communications with the Senator; Susan Garza, Willacy County Clerk, regarding posting of GMA-16 agenda; and Rosanna Ryan, Sarita School teacher, regarding the use of the Major Rivers educational program.

b. Well registrations: Garza reported that the District had received paperwork on a replacement well from La Paloma Ranch.

c. Brush Country GCD meeting: Garza informed the Directors that he would be attending a meeting of the Brush Country GCD on January 26, 2021.

d. Duval County GCD meeting: Garza reported that he had attended a meeting of the Duval County GCD on December 22, 2020 and reviewed the highlights of the meeting with the Directors.

e. TAGD virtual meetings: Garza informed the Directors that he had participated virtually in 2 TAGD meetings and reviewed the highlights of both meetings.

f. GMA-16 meeting: Garza reported that GMA-16 will meet on January 28, 2021 at which time a draft copy of the Explanatory Report will be reviewed.

g. Water use reports for 2020: Garza informed the Directors that the water use reports are due on January 31, 2021.

h. Regional water planning newsletter for January, 2021: Garza provided the Directors with a copy of the regional water planning newsletter distributed by the TWDB.

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

j. Database update: Garza informed the Directors that Sean Sahs and Robert Williams had worked jointly to address glitches in the database.

k. Other: Leo Villarreal reported that he had responded to a public records request from SmartProcure which had requested contact information for District employees.

5. Discuss & Act to Approve District Rule Amendments Regarding Brackish Groundwater Production Permits as Per HB 722

Mary Sahs made a powerpoint presentation to review changes that have been recommended for rule sections 3.4B, 8.4.e(2), 11.3.F, 14.1.C, 14.3.A, 14.4.C(7), 14.4.G(7) and 14.13. After considerable discussion, consensus was reached on all recommended changes.

This was considered a report and no vote was needed and none was taken.

6. Discuss & Act on Formal Proposal and Scheduling a Public Hearing to Consider Rule Amendments Regarding Brackish Groundwater Production Permits as Per HB 722

Mary Sahs recommended that this item be tabled until the next meeting.

Craig Weiland moved and Danny Butler seconded the motion; the motion passed unanimously table this item until the next meeting.

7. Discuss & Act on Mary Sahs' Legislative Activities Report

Mary Sahs informed the Directors that at least 1800 bills had been filed as of January 20, 2021. Sahs stated that the Senate Committee on Water, Agriculture and Rural Affairs has been set and that Senator Charles Perry was appointed as chairman. Sahs listed the bills that may be of interest to the District during the current legislative session.

Being that it was only a report, no vote was needed and none was taken.

8. Discuss & Act on TWDB Action Taken on Adopting Rulemaking on Brackish Groundwater Production Zones

Mary Sahs reported that the TWDB will add section 356.70(d) to allow amending designated brackish groundwater production zones. Sahs reminded the Directors that the Kenedy County GCD had submitted comments on this issue.

Being that it was only a report, no vote was needed and none was taken.

9. Discuss & Act to Approve 2020 GCD Annual Report

Andy Garza reviewed with the Directors the highlights of the 2020 GCD Annual Report that is required as per the District's management plan.

Craig Weiland moved and Danny Butler seconded the motion; the motion passed unanimously to accept the 2020 GCD Annual Report as presented

10. Discuss & Act to Approve Compilation of Engagement Letter for Dec. 31, 2020 Year End for Kenedy County GCD from Womack & Co.

Leo Villarreal informed the Directors that the engagement letter to initiate the audit process for fiscal year 2020 needed to be approved and submitted to Womack & Co.

Dave Delaney moved and Craig Weiland seconded the motion; the motion passed unanimously to approve the engagement letter to Womack & Co. to initiate the audit process for fiscal year 2020.

11. Discuss & Act on 4th Quarter, 2020 Investment Report

Leo Villarreal presented the 4th Quarter 2020 investment report to the Directors and stated that the checking account ending balance was \$267,232.15 and Texas CLASS account ending balance was \$532,291.68. Villarreal informed the Directors that the District may consider other investment options in the near future.

Homero Vera moved and Danny Butler seconded the motion; the motion passed unanimously to accept the 4th Quarter, 2020 investment report as presented.

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.

Danny Butler moved and Homero Vera seconded the motion; the motion passed unanimously to hold the next regular board meeting at 9:00 AM on February 17, 2021 in Sarita, TX.

13. Discuss & Act on Payment of Bills for January, 2021

Chuck Burns presented the bills from January, 2021 to the Directors for consideration and payment.


Dave Delaney moved and Homero Vera seconded the motion; the motion passed unanimously to officially approve the January, 2021 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 12:45 PM.

David Delaney, Secretary

ATTESTED TO:



Chuck Burns, President