

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

On the 18th day of January, 2023, at 9:00 AM, a regular meeting of the Kenedy County Groundwater Conservation District was held at the Kenedy County Courthouse Courtroom in Sarita, TX.

Directors present:

Edward Bordovsky, President
Verl Cash, Vice-President
Esteban Lopez, Secretary
Sonny Burns, Member

Also present:

Andy Garza, General Manager
Leo Villarreal, Administrative Assistant
Louie Pena, Brush Country GCD manager
Diana Nichols, Kelly Hartman
Chuck Burns, Kenedy County Judge

Absent:

Danny Butler, Member

1. Call Meeting to Order

Edward Bordovsky, President, called the meeting to order at 9:05 AM and announced that a quorum was present.

2. Public Comments

Leo Villarreal thanked the Directors for the sympathy card that was sent following the death of his sister.

3. Administer Oath of Office to Directors Elected in November, 2022

Leo Villarreal administered the Oath of Office to Edward Bordovsky, Verl Cash and Esteban Lopez who were elected in the November, 2022 election.

4. Discuss & Act to Elect Officers

Edward Bordovsky informed the Directors about the need to elect officers and suggested that the board keep the same slate of officers.

Verl Cash moved and Sonny Burns seconded the motion; the motion passed unanimously to elect the following officers; Edward Bordovsky, President, Verl Cash, Vice President and Esteban Lopez, Secretary.

5. Discuss & Act on Minutes of December 21, 2022 Regular Meeting

President Edward Bordovsky presented to the Directors the minutes of the December 21, 2022 regular meeting.

Verl Cash moved and Sonny Burns seconded the motion; the motion passed unanimously that the minutes of the December 21, 2022 regular meeting be approved as presented.

6. 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 quarterly meeting, January 31-February 1, 2023**
- f. SWARA interim report**
- g. Texas 88th Legislative Session**
- h. TWCA annual convention; March 1-3, 2023**
- i. Desal plant visit**
- j. 2023 mileage rate**
- k. News articles**
- l. Other**

Andy Garza, General Manager, reported on the following:

a. Communications: Garza reported that since the District's December, 2022 meeting, he had communicated with Dianne Clements, Sarita Energy Resources rep, regarding a temporary rig supply report; Thelma Bustamante, technician with EOG, regarding submittal of water use report; Heather Dodson, TWDB water data specialist, regarding water level measurements on the King Ranch in February, 2023; Rosanna Ryan, Sarita School teacher, regarding the Major Rivers water education program; Carol Pruitt, Brazoria Operating representative, regarding the registration of a P-13 well; Guero Dieterle, Kenedy Memorial Foundation director, regarding the registration of a P-13 well and Dr. Uddameri, hydrology consultant, regarding work on the District Management Plan.

b. Well registrations: Garza informed the Directors that no wells had been registered since the last meeting.

c. Brush Country GCD meeting: Garza reported that the Brush Country GCD had not met during the month of December, 2022.

d. Duval County GCD meeting: Garza stated that the Duval County GCD had met on December 21, 2022 and covered the highlights of the meeting.

e. TAGD quarterly meeting; January 31-February 1, 2023: Garza informed the Directors that the next TAGD quarterly meeting will be held on January 31-February 1, 2023 in Pflugerville, TX.

f. SWARA interim report: Garza reviewed portions of the Texas Senate Water and Rural Affairs (SWARA) committee's interim report with the Directors.

g. Texas 88th Legislative Session: Garza informed the Directors that the 88th Legislative Session started on January 10, 2023 and will last through the end of May, 2023. Garza reported that the Dade Phelan will be the Speaker of the House and that bills can be filed until March 10, 2023.

h. TWCA annual convention; March 1-3, 2023: Garza stated that the Kenedy County GCD is a member of the TWCA and that he may attend this year's annual convention.

i. Desal plant visit: Garza and Esteban Lopez reported that the field trip to the Brownsville desal plant which was organized by the Kenedy County GCD had gone very well. Nine individuals participated in the field trip.

j. 2023 mileage rate: Garza informed the Directors that the IRS has increased the mileage rate to \$0,655 per mile effective January 1, 2023.

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

l. Other: Garza reviewed the 2022 Annual Report, which is a requirement as per the Management Plan, with the Directors.

Sonny Burns moved and Esteban Lopez seconded the motion; the motion passed unanimously to accept the General Manager's report and approve the 2022 Annual Report.

7. Hold Public Hearing on District Management Plan

Edward Bordovsky announced at 9:10 AM that the public hearing on the District's proposed amended Management Plan was in session and welcomed members of the public to address the Board of Directors regarding the proposed amended District Management Plan.

No comments were received from the public.

Edward Bordovsky closed the public hearing at 9:12 AM.

8. Discuss & Act on Adopting District Management Plan

Edward Bordovsky, after closing the public hearing, presented to the Directors the proposed amended district Management Plan. Garza and Dr. Uddameri stated that the proposed amended Management Plan had been submitted to the TWDB for a pre-review and had incorporated all of the TWDB's required changes and most of the recommended changes.

Sonny Burns moved and Verl Cash seconded the motion; the motion passed unanimously that the proposed amended district Management Plan be adopted by resolution as follows:

Whereas, on December 21, 2022, the Kenedy County Groundwater Conservation District Board of Directors directed that Notice of a Public Hearing to be held on January 18, 2023, at 9:10 AM at the Kenedy County Courthouse Courtroom in Sarita, TX regarding the adoption of the proposed 2022 District Management Plan to be posted in a place readily accessible to the public at the Kenedy County Courthouse; by posting on the GCD's website; by providing notice to individuals who requested notice; and by making a copy of proposal accessible to the public during normal hours at the District office; and

WHEREAS, on January 18, 2023, the Kenedy County Groundwater Conservation District Board of Directors, with a quorum present, held the January 18, 2023 Public Hearing regarding the adoption of the proposed 2023 Kenedy County Groundwater Conservation District Management Plan; and

WHEREAS, the Kenedy County Groundwater Conservation District Board of Directors, after the Public Hearing was held, convened to consider the adoption of the proposed 2023 Kenedy County Groundwater Conservation District Management Plan; and

The Kenedy County Groundwater Conservation District Board of Directors, after a motion being made and seconded, it was unanimously passed and it was

RESOLVED that the 2023 Kenedy County Groundwater Conservation District Management Plan be ADOPTED as presented as is more particularly described in the Kenedy County Groundwater Conservation District 2023 Management Plan attached hereto and made part of hereof for all purposes.

9. Discuss & Act on Adopting Desired Future Condition by Resolution

Garza reported that GMA-16 had met all the joint planning requirements as per the TWDB and that the entities within GMA-16 needed to adopt their DFCs. The averaged DFC for the Kenedy County GCD is 27 feet of drawdown in the Gulf Coast Aquifer System through the year 2080 and the Modeled Available Groundwater (MAG) is 27,030 acre-feet as per GAM Run 21-021.

Sonny Burns moved and Esteban Lopez seconded the motion; the motion passed unanimously to adopt a DFC of 27 feet drawdown for the Kenedy County GCD by resolution as follows:

WHEREAS, the District is authorized by Chapter 36, Texas Water Code, to engage in joint planning activities for the coordinated management of the aquifers located in Groundwater Management Area 16 ("GMA 16"), and in that regard, shall establish desired future conditions ("DFCs") for the relevant aquifers within GMA 16; and

WHEREAS, GMA 16 took such action to adopt DFCs on November 23, 2021 by Resolution with a vote of nine in favor, none against and one absent to exceed the two-thirds approval criteria; and

WHEREAS, GMA 16 submitted a DFC explanatory report to the TWDB on January 22, 2022; and

WHEREAS, the TWDB declared the GMA 16 submittals administratively complete on August 26, 2022; and

WHEREAS, the District is required to adopt DFCs by resolution following the GMA submissions and the TWDB finding of administrative completeness; and

NOW, THEREFORE, BE IT RESOLVED by the District that the following DFCs are each hereby established:

The District adopts DFCs for each county within District (county-specific DFCs) and adopts a DFC for all the counties in the groundwater management area (GMA-specific DFC). The DFC for the counties in GMA 16 shall not exceed an average drawdown of 78 feet for the Gulf Coast Aquifer System in December 2080. DFCs for the Gulf Coast Aquifer in each county within the District (county-specific DFCs) shall not exceed the values specified below by the year 2080.

GCD or Region	Simulated Drawdown (ft) 2010-2080				
	Chicot	Evangeline	Burkeville	Jasper	Combined
Bee GCD	126	102	90	75	93
Live Oak UWCD	100	83	79	25	45
McMullen GCD	0	0	0	12	12
Red Sands GCD	48	62	61	60	60
Kenedy County GCD	18	56	18	18	27
Brush Country GCD	60	101	88	89	89
Duval County GCD	99	183	121	109	137
San Patricio County GCD	114	84	39	39	69
Starr County GCD	0	112	100	76	94
Cameron	125	196	78	78	119
Hidalgo	153	170	119	117	138
Kleberg	15	46	11	11	21
Nueces	33	40	15	15	26
Webb	0	226	0	91	161
Willacy	47	85	23	23	44
GMA 16 TOTAL	61	110	67	65	78

AND IT IS SO ORDERED, PASSED AND ADOPTED ON THIS THE 18th DAY OF January, 2023.

10. Discuss & Act on Approving 4th Quarter, 2022 Financial Report

Leo Villarreal reported that he did not have the information to complete the 4th Quarter, 2022 financial report and recommended that this item be tabled until the next meeting.

Sonny Burns moved and Esteban Lopez seconded the motion; the motion passed unanimously to table agenda item #10 regarding the 4th Quarter, 2022 financial report until the next meeting.

11. Discuss & Act on Renewal of Officials' Bonds

Leo Villarreal informed the Directors that their surety bonds needed to be renewed for a period of four years at a cost of \$736.00.

Sonny Burns moved and Verl Cash seconded the motion; the motion passed unanimously to renew the surety bonds for a period of four years at a cost of \$736.00.

12. Discuss & Act, If Necessary, On Need for Additional Office Space

Verl Cash initiated the discussion on the district's need for not only storage space, but, perhaps office space for 2 GCD employees. After a discussion on the need for office space, the consensus was that the district should seriously consider acquiring its own office building. Andy Garza was directed to bring back ideas on size of building, floor plans, etc, at the next GCD meeting.

No vote was needed and none was taken.

13. Discuss & Act on Date for Next Regular Meeting

Edward Bordovsky informed the Directors that a date needed to be set for the next regular meeting.

Sonny Burns moved and Esteban Lopez seconded the motion; the motion passed unanimously to hold the next regular meeting at 10:30 AM on February 17, 2023 in Sarita, TX.

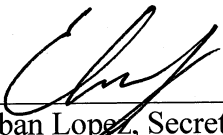
14. Discuss & Act on Payment of Bills for January, 2023

Edward Bordovsky presented to the Directors the bills for January, 2023 for consideration and payment.

Verl Cash moved and Sonny Burns seconded the motion; the motion passed unanimously to pay the bills for January, 2023 as presented.

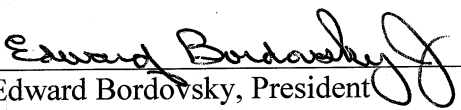
15. Adjournment

There being no other business to come before the Board of Directors, Sonny Burns moved and Esteban Lopez seconded the motion; the motion passed unanimously that the meeting be adjourned at 10:50 AM.



Esteban Lopez, Secretary

ATTESTED TO:



Edward Bordovsky, President