

Meeting: First Preliminary Meeting for the creation of the Southwestern Travis County Groundwater Conservation District

Date: January 24, 2017

Location: Travis County 700 Lavaca Street - 1st Floor - Multifunction Room B - Austin, TX 78701

In Attendance: Judge Eckhardt, Commissioner Daugherty, Representative Workman, Senator Buckingham, Representative Howard, Peter Einhorn, Tom Nuckols, Jon White, Ron Morgan, Michael Winn, Rick Scadden, Ron Fieseler, Christy Muse, Vanessa Escobar, Kirk Holland, John Dupnik, Jim Urie, Jason Buddin, Don Barber, Deece Epstein, Vicky Kennedy, Bob Moore, Robert Mace, Wilson Adams, Kayla Miloy

Late Arrivals: Vanessa Puig-Williams, James Ross

Purpose: The purpose of this meeting is to discuss logistics on getting the Board and the GCD up ahead of a May election.

Meeting called to order at 9:06 am by Travis County Judge Sarah Eckhardt.

Round table introductions. Three of the seven interim board members were present (Rick Scadden, Jim Urie, and Jason Buddin). Jim Ross arrives 9:30 am.

Requirements and Logistics for May 2018 Election

Election Process overview, provided by Ron Morgan and Michael Winn of Travis County Clerk's office of the Elections

-Ron Morgan states that the County Clerk's office conducts elections by contract for entities (i.e. MUDs, school districts, ACC, COA). The election clearly has a cost; entities participating in the election fund the election based on the number of registered votes. There are no funds set aside for the GCD. For the creation of a new entity, i.e. an ESD, the County Clerk has funded the election from their budget. If the Clerk doesn't have the funds, a request for an appropriation is made to Travis County Commissioners Court. Reimbursement from the entity after creation is not typical.

-Michael Winn reviewed key dates and deadlines, handout attached. First deadline is February 12th to notify Election Division of Intent to contract with County Clerk for May 2018.

-Staff stated cost to open the doors for an election is 600k, based on number of entities, rough cost for this ballot measure estimated at 30-50k.

- Ron Morgan made the following recommendations: 1. Begin having legal counsel work on ballot language 2. Work on drawing boundaries with registrar

How is boundary of GCD drawn and created?

-Rep. Workman stated that the legislation describes the Priority Groundwater Management Area (PGMA) minus the Edwards Aquifer Groundwater Conservation District.

-John Dupnik, of Barton Springs Edwards Aquifer Conservation District, stated that boundary changes are required to be filed with TCEQ, boundaries must be established by TCEQ and TX Water development board based on PGMA.

-Vicki Kennedy, hydrologist from Travis County Transportation and Natural Resources Staff (TNR), has worked on a map based on PGMA. Kennedy explained that this map may not be at the metes and bounds level but it is the best representation we have.

-Judge Eckhardt received confirmation from Vicki Kennedy that Travis County will work with TWDB, TCEQ, and tax assessor to draw the GCD boundary by February 12th.

What is the worst case scenario if we miss one of the key hurdles to have this GCD created in the next election?

-Tom Nuckols, Travis County Attorney's office, stated that we will need to get input from an election lawyer

-Rep. Workman explained that there are have provisions in the legislation to bring the GCD to another vote if it doesn't pass but we anticipated bringing it to election May 2018.

Distribution of Resources – GCD has no staff or funding mechanism

-Judge Eckhardt noted that Travis County plans to help with some of the startup of the GCD but reminds those present that the funding mechanism in the legislation is inadequate. She stated that an unfunded GCD is worse than no GCD at all because it gives the impression of regulation and protection without the actual preservation of resources. Judge Eckhardt stated that funding falls on everyone at this table, the board, and all friends of this GCD to start working towards seed money to make sure this happens.

- Judge Eckhardt stated Travis County's intention to advocate for funding of the election (approx. 30-50k) and the in-kind support of staff, to a point.

How many people will be affected by the GCD?

-Com. Daugherty made a rough estimate of 25k to 35k voters within the boundaries.

- Don Barber noted no analysis of voters was done prior to the legislation.

9:30 am Jim Ross arrives, Judge Eckhardt noted that we now have a quorum of interim board members

-Tom Nuckols explained that this was not posted as an open meeting; we did not actually have a legal quorum because this was not an open meeting. Today's meeting was a precursor to the official GCD board meetings.

Who will be the staff to get this happening? What do staff think is necessary to make it happen?

-Jon White, Travis County Natural Resources and Environmental Quality, stated that staff will need to talk to the experts, explicitly Ron Fieseler, Kirk Holland, and John Dupnik to figure out exactly what is needed to make this happen.

-Judge Eckhardt stated that Travis County Natural Resources staff will assist with nailing down the boundaries in the next three weeks. Staff can also look at bylaws, staffing and work with the future directions.

What are the legal requirements of first meeting of GCD?

-Tom Nuckols and Peter Einhorn listed the following : official paperwork to appoint someone, including oath of office, a first official meeting, a district registration form, a mailing address, legal name, and a form to filled out at first meeting, signed by GCD interim board members and filed with TCEQ. Board members can be sworn in by anyone, ie. a notary. Agenda needs to be posted 72 hours prior to meeting.

-Rep. Workman, while unable to offer legal services to GCD, offered to set up a P.O. box, get a phone number (through google), procure a domain name, provide assistance at state level, and facilitate future meetings.

Expertise from Existing GCDs in the area

-Com. Daugherty entreated Mr. Fieseler, Holland and Dupnik to act as our consultants and help us get the first board meeting going.

- John Dupnik stated that they are not only willing to assist in this capacity but have been directed by their boards to do so. Dupnik announces that he will be transitioning out of role as general manager for Edwards Aquifer Conservation District but is hopeful that Kirk Holland will be stepping into his role.
- Ron Fieseler offered his help in getting the election process going and stated that one of the key steps is having the board call for the election sometime before it happens. There are key election deadlines set by the Secretary of State. First step is to get that boundary; second step is to have the voter registrar get the voter list.
- Mike Winn stated that those dates from Sec. of State correspond with the attached handout provide by County Elections office.

Travis County resources and May 2018 Election

- Judge Eckhardt volunteered her office and staff to work closely with Ron Feiseler to be the key volunteers to pull off the May 2018 election.
- Com. Daugherty's office volunteered to handle the posting and notice requirements for the election.
- Bob Moore, of Com. Daugherty's office, was charged with preparing the oath. Judge Eckhardt noted that the oath is complex and we need two revisions.
- Bob Moore asked for further research from County Attorney's office regarding what constitutes electioneering once the election is called. Tom Nuckols agreed to look into it.
- Peter Einhorn agreed to pull together written documentation that all the interim board members have been appointed by elected officials (email is fine) to send to Bob Moore.
- Bob Moore will maintain these records until the GCD Board is formed; at that point the GCD board will maintain its own records.
- Judge Eckhardt clarified that the GCD needs to have its own legal counsel for the election. Representation by Travis County Attorney office would constitute a conflict of interest.
- Vanessa Puig-Williams stated that she is not an election officer but is happy to help.

Election Education for the Public

- Judge Eckhardt believes this is a phone bank election and clarified that Travis County can provide information but the GCD board has to decide its key message; Travis County cannot choose and design the educational materials but may be able to assist with in kind printing or other services.
 - Christy Muse, Shield Ranch, stated that Clean Water Action has a PAC and would be interested in supporting the GCD. At the request of Comm. Daugherty she will reach out to Clean Water Action for a proposal to handle the election advocacy. Christy also mentioned an educational opportunity at Westcave Preserve put together by the Center for Water and the Environment; she is happy to be the liaison for sharing information about the GCD for this event. Christy also suggested tandem efforts between the elected official's campaign offices and the GCD advocacy campaign.
 - Jon White stated that we need someone to handle basic outreach – people will be asking: Does this affect me? What will it cost me?
 - Ron Fieseler counseled that these elections are emotional – the outreach strategy will need to answer those emotional questions and stick to 4-5 key bullet points.
 - John Dupnik advised the creation of a website as soon as possible
 - Sen. Workman offered to reserve an URL, stated that the official name as stated in the legislation as:
- Southwestern Travis County Groundwater Conservation District**
- Judge Eckhardt and staff will look into having Travis County ITS create a very simple splash page that is purely information for the GCD webpage.
 - Rick Scadden suggested the creation of a Facebook page and social media presence.

Where do directors file notice of intent to run for election?

-Ron Fieseler stated that election notices are filed with the GCD board itself in a standard form from the Secretary of State, needs to be filed by Feb. 16th , there is no filing fee. There is a legal requirement for posting – possibly just the office door but historically newspapers and website.

-Ron Fieseler offered to share templates for posting text and meeting agendas/

-Sen. Buckingham suggests that we need to have the interim board meeting next week.

-Dupnik also suggested that the board members organize a subcommittee (three members, non-quorum) that can meet informally to continue working on the details.

The three interim board members on the working subcommittee will be: Jim Urie, Jason Uddin, and, Rick Scadden.

-Com. Daugherty offered to set up a meeting with the subcommittee and our consultants, (Fieseler, Holland, and Dupnik) for next week.

Proposed Meeting Next Wednesday, 1/31 2 pm at Bee Cave Council Meeting

-Rick Scadden offered to check on room availability, back up location is Precinct 3 offices.

-The agenda for this meeting will need to be posted this Friday 1/26 to comply with Open Meetings Act Agenda

- Ron Fieseler and Sen. Buckingham’s office agreed to work together to draft the agenda.

Sen. Buckingham will post meeting notice in Lake Travis View

Rep. Workman will post in Community Impact

Rep. Howard will post in the Picayune

Need quorum. Jim Urie has jury duty but will attempt to move the date. Back- up plan is to call or video conference in for digital quorum.

Expecting 12 -15 people, anyone from this meeting is welcome to attend.

Bob Moore asked Travis County elections officers – how do we avoid the problems that we had previously with overlay?

-Ron Morgan recommended working with Bruce Elfant, Tax Assessor.

-Judge Eckhardt stated that the work of TNR GIS and Tax Assessor on the boundary should alleviate those issues.

Judge Eckhardt adjourned the meeting at 10:13 am.