

MINUTES
OF THE
SOUTHWESTERN TRAVIS COUNTY GROUNDWATER CONSERVATION DISTRICT

At the
Bee Cave School House
13333-A Highway 71 West
Bee Cave, Texas 78738
(Bee Cave Schoolhouse is located adjacent to Lake Travis Fire and Rescue Station 603)

Wednesday, February 12, 2020 at 10:00 am

1. Call to order, declare meeting open to the public, and take roll

Director and Board President Scadden called the meeting of the Southwestern Travis County Groundwater Conservation District (SWTCGCD or District) Board of Directors to order at 10:02 AM on February 12, 2020. Five District Directors were present constituting a quorum, including Directors Hennings, Van Ackeren, Dower, Scadden and Davis. Director Urie was absent. Also present were Charlie Flatten, Kodi Sawin, Thomas Griffith, Virginia Smith and Pete Golde.

The meeting sign-in sheet is attached as Exhibit A

2. Public comments

Director Scadden called for public comments and there were no public comments.

3. Discuss, consider and possibly act on approving the previous meeting minutes

Approval of the January 12, 2020 Meeting Minutes.

On a motion by Director Hennings and a second by Director Dower the draft version of the January 12, 2020 meeting minutes was approved – 5 Ayes to 0 Nays

A copy of the approved January 12, 2020 Meeting Minutes is attached as Exhibit B

4. Receive, discuss and take action as necessary for Board Committee Reports.

a. Finance

Director Scadden presented the financial report for the period ending 1/31/2020. He advised that two checks were written to GoDaddy and TAGD and that the balance in the checking account at the end of the period was \$11,393.23. The P.O. Box rental is due March 29th in the amounts of \$74 for 6 months or \$148 for 12 months. He recommended renewal for 6 months since there is no discount. A discussion ensued with the points being made that the SWTCGCD business cards have the P.O. Box address on them and that a P.O. Box is more secure than delivery of mail to the office until the office is fully occupied on a full-time basis. It was agreed to renew the P.O. Box for a period of 1 year for \$148.

On a motion by Director Hennings and a second by Director Van Ackeren the Board approved renewing the P.O. Box for 1 year for \$148 – 5 Ayes to 0 Nays

The financial report is attached as Exhibit C

b. Legislative

Director Davis said she viewed the January 22nd Texas Senate public hearing online. She said that the discussions centered around regulatory framework and Jason French spoke about the Water Availability Model. She went on to say that she recommends watching the full video of the hearing and she will send the link to the video to the Board.

c. Science-Outreach

Director Hennings advised that on January 23rd she provided comments on the Hydrogeologic Atlas being prepared by BSEACD and Travis County as part of their Southwestern Travis County Hydrogeologic Study. She said that they want to publish the Atlas by the end of the month but that is not likely because there was a large volume of comments. Director Scadden reviewed the Study effort and its importance to the SWTCGCD as a scientific basis for developing the Management Plan and rules. Tom Griffith asked who has final say on comments. Directors Hennings and Scadden said that BSEACD (Brian Hunt) and Travis County would have final say. Charlie Flatten added that Hays County is doing a \$200K study on interaction of surface water and groundwater. There is a presentation on this study at the Hays County Commissioner's Court at 9:00AM on February 25th.

5. Discuss, consider, and possibly act on filling the Director vacancy

Director Dower said that the Nominating Committee consisting of Directors Hennings, Dower and Davis considered three candidates – Tom Griffith, Carl Jones, and Brian Hunt and the committee recommends appointing Brian Hunt to fill the vacant Board of Director's position. He added that Brian Hunt is willing to serve a 2yr term, but Director Dower has indicated that Mr. Hunt may not run for re-election.

On a motion by Director Dower and a second by Director Van Ackeren and, after brief additional comments by Director Scadden regarding his discussion with Blain Stansberry at BSEACD regarding Brian Hunt being a SWTCGCD Director and regarding Brian Hunt's well usage, the Board approved appointing Brian Hunt to fill the vacant Director position – 5 Ayes to 0 Nays

Director Scadden said that he would notify Carl Jones of the decision, and Director Dower will notify Mr. Hunt.

Charlie Flatten advised that Vanessa Escobar is the new General Manager for BSEACD, and they have posted a new position for an Assistant General Manager.

6. Discuss, consider, and possibly act on agreeing to office space provided by Travis County

Director Scadden explained that Travis County has offered an office at their Covered Bridge location to the SWTCGCD for a cost of \$1.00 per year, utilities included. The term is 1 year with options to extend for two additional 1-year periods. We are trying to start the first term on March 1st but the Agreement between SWTCGCD and Travis County must go to the Travis County

Commissioner's Court for approval. Travis County wants SWTCGCD to maintain \$600K and \$1M liability insurance limits covering the space. Director Scadden asked the Board to approve him and Director Davis to execute the agreement with Travis County. He went on to say that the Bee Cave schoolhouse move is in flux but there is enough space at the Travis County office for Board meetings. Travis County will issue card keys for access to the office.

On a motion by Director Dower and a second by Director Van Ackeren, the Board approved authorizing Directors Scadden and Davis to execute an agreement with Travis County for office space – 5 Ayes to 0 Nays

Item 14. Discuss, consider, and possibly act on having a booth at the HCA Hill Country Living Festival + Rainwater Revival on April 4, 2020 was now taken up out of order

Director Hennings discussed plans for setting up and manning the SWTCGCD booth at the HCA Hill Country Living Festival + Rainwater Revival. She said that there was a still need for volunteers.

Item 13. Discuss, consider, and possibly act on the opportunity to participate in ACC GIS Service-Learning Project was now taken up out of order

Director Hennings introduced Virginia Smith who is a GIS student at Austin Community College (ACC). Director Hennings said that Sean Moran at ACC would like to do GIS projects for the SWTCGCD such as current and future land use maps as well as 10 other ideas they have. Director Scadden suggested that they coordinate with what the SWTCGCD needs for the Management Plan and he requested a motion to accept the ACC offer and designate Director Hennings as the point of contact for the SWTCGCD. Director Hennings requested an agenda item for the March Board meeting to prioritize maps to be worked on. Virginia Smith said they will need the prioritized list of map projects by March 25th.

On a motion by Director Scadden and a second by Director Dower, the Board accepted the offer from the ACC GIS Service-Learning Project to prepare maps identified and prioritized by the SWTCGCD and to designate Director Hennings as the point of contact with the SWTCGCD – 5 Ayes to 0 Nays

7. Discuss, consider, and possibly act on the SWTCGCD budget

Director Scadden handed out copies of the proposed SWTCGCD budget for FY 2020 which goes from October 1, 2019 until September 30, 2020.

Item 8. Conduct Public Hearing to receive input from the public regarding the SWTCGCD Annual Budget was taken up at this time

Director Scadden then opened a Public Hearing at 11:06 AM to invite public comments on the budget. Director Scadden asked for public comments. No public comments were forthcoming and Director Scadden closed the Public Hearing at 11:07 AM.

Discussion of Item 7. Was continued at this time

Director Dower questioned the decision not to collect an administration fee. He said he was concerned that having \$0 in the budget for revenues from fees might be questioned. Director Scadden suggested that a note be added stating that fees will be added after approval of the

SWTCGCD Management Plan, Rules, and fee structure. TAGD dues are \$0 for FY 2020 since TAGD waives the dues for the first year for a new GCD. The Board agreed to increase the Office Expense budget item to \$1,000 from \$500 and that the budget can be amended as more information becomes available. Director Hennings suggested that the Board may want to set aside two years of GMA 9 expense (\$5,000 rather than \$2,500) and there was a consensus among the Directors that they should do so.

On a motion by Director Van Ackeren and a second by Director Hennings the Board approved the FY 2020 budget as amended – 5 Ayes to 0 Nays

A copy of the FY 2019/2020 Budget as approved is attached as Exhibit D

8. Conduct Public Hearing to receive input from the public regarding the SWTCGCD Annual Budget

This Item taken up earlier

9. Discuss, consider, and possibly act on By-Laws for the SWTCGCD

A discussion was undertaken among the Directors concerning the proposed SWTCGCD By-Laws document. Director Scadden commented that the word “may” should be used rather than the word “shall” when referring to monthly meetings of the Board, he mentioned that another Director had suggested that the words “General Manager serves at the pleasure of the Board” be added to paragraph 3.1, and that the date of approval by the Board be added to the By-Laws document. Regarding the posting of notices of hearings Director Scadden suggested that they be posted at the Travis County Clerk’s Office and regarding GMA 9 meetings the meeting location is not within the control of the SWTCGCD so we can’t always post the notice at the meeting location and the words “and meeting location” should be struck. Lastly in paragraph 4.1.b. after the words “Board shall set compensation for consultants” add the words “employees, contract workers, and other suppliers.”

On a motion by Director Dower and a second by Director Van Ackeren, the Board approved the proposed By-Laws as amended – 5 Ayes to 0 Nays

A copy of the Approved By-Laws is attached as Exhibit E

10. Discuss, consider and possibly act on the draft Management Plan

Director Scadden said that Kirk Holland had suggested at the meeting on January 21st that a meeting with the Texas Water Development Board (TWDB) should be scheduled. He said that we need to move forward and plan one or two meetings with the TWDB.

11. Discuss, consider, and possibly act on hiring a part-time General Manager

Director Scadden advised that he had already received inquiries regarding the General Manager (GM) position. He proposed forming a committee consisting of Director Dower and Pete Golde as well as a possible third Director to develop a job description for a part time GM (20 Hrs./Wk.), solicit applicants and make a recommendation. He added that Kirk Holland has indicated that he is not interested in the GM position but is willing to help the new GM. Director Van Ackeren volunteered to be on the GM committee.

On a motion by Director Hennings and a second by Director Scadden the Board authorized a subcommittee of Directors Dower and Van Ackeren and Pete Golde to develop a General Manager Job Description, Post it, interview applicants and make a recommendation to the Board at their March 11th meeting – 5 Ayes to 0 Nays

12. Discuss, consider, and possibly act on contracting for legal services

Director Scadden suggested that a subcommittee be formed to prepare an RFQ, solicit responses from law firms, and make a recommendation for a law firm to provide legal services to the SWTCGCD. He offered to be on the committee. Director Dower suggested soliciting from a minimum of three firms and Director Scadden suggested Lloyd Gosslink, DeLeon Washburn & Ward, Mary Sahs, and Greg Ellis, adding that we need to develop the RFQ, send it to these four firms, and post it on the website. Director Davis agreed to be on the sub-committee. Director Hennings said she did not feel she should be on the legal service sub-committee but would rather be on the GM selection sub-committee and Director Van Ackeren agreed to swap with her making the membership of the legal services sub-committee Directors Scadden, Van Ackeren and Davis. The goal is to prepare the RFQ by February 21st and make a recommendation at the March 11th meeting.

On a motion by Director Dower and a second by Director Hennings the Board authorized a subcommittee of Directors Scadden, Van Ackeren, and Davis to prepare an RFQ for legal services, solicit responses and make a recommendation to the Board at their March 11th meeting – 5 Ayes to 0 Nays

On a motion by Director Scadden and a second by Director Van Ackeren, the Board authorized the replacement of Director Van Ackeren on the General Manager selection subcommittee with Director Hennings making the subcommittee membership Directors Dower and Hennings and Pete Golde – 5 Ayes to 0 Nays

13. Discuss, consider, and possibly act on the opportunity to participate in ACC GIS Service-Learning Project

This Item taken up earlier

14. Discuss, consider, and possibly act on having a booth at the HCA Hill Country Living Festival + Rainwater Revival on April 4, 2020

This Item taken up earlier

15. Discuss, consider, and possibly act on matters relating to the Texas Alliance of Groundwater Districts (TAGD)

Director Davis stated the lowest cost tier of TAGD membership is \$750 per year. Directors Van Ackeren and Davis had just attended the most recent TAGD quarterly meeting and provided comments. Director Van Ackeren said that it was very worthwhile to better understand the process of developing MAGs and DFCs, Etc. He added that the SWTCGCD TCEQ form needs to be updated. Director Davis said the hot topics at the meeting were the Senate Hearing and the Texas Water Development Board explaining what GCDs do. She also said that TAGD wants the SWTCGCD Directors names and addresses for their weekly newsletter. Charlie Flatten said there is a need to create opportunities to interact with District citizens to spread positive message

about what a GCD does and why it is needed. Director Dower offered to update previous messaging. Director Davis added that there was a lot of discussion and information on modeling at the TAGD meeting as well.

16. Discuss, consider, and possibly act on IT matters including domain name

Director Dower advised that the domain name swtcgcd.com is expiring and that we focus mainly on the swtcgcd.org domain name but the .com name is re-routed to the .org website. Also, the GoDaddy website software subscription is expiring and renewal is \$180, plus \$120 for email for Brian Hunt, both for one year.

On a motion by Director Hennings and a second by Director Davis, the Board approved renewing the swtcgcd.com domain name and the GoDaddy website software for one year and establishing SWTCGCD email service for Brian Hunt also for one year – 5 Ayes to 0 Nays

17. Discuss and possibly establish agenda items for the next Board meeting

- Possible reimbursement to Paul Workman for the original SWTCGCD P.O. box rental (\$200)
- Bintree RV Resort permit water availability study
- General Manager recommendation
- Legal services recommendation
- GIS project prioritization
- Internet service for new office
- Management Plan update

18. Discuss, consider, and possibly act on setting the date, time, and location for the next Board meeting

The Board agreed to set the next meeting for 10:00 AM on Wednesday March 11, 2020 at the Bee Cave Schoolhouse.

19. Adjourn

On a motion by Director Dower and a second by Director Van Ackeren the Board voted to adjourn the meeting – 5 ayes to 0 nays. The meeting was adjourned at 12:57 PM.

PASSED, APPROVED AND ADOPTED THIS 11th day of March 2020

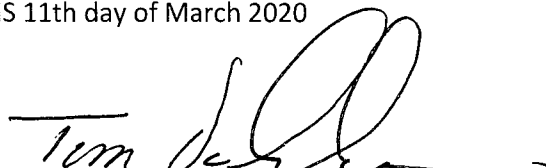

Tim Van Ackeren, Secretary

Exhibit A

Attendee Sign-in Sheet

Exhibit B

Approved Minutes from January 8, 2020 Board Meeting

MINUTES
OF THE
SOUTHWESTERN TRAVIS COUNTY GROUNDWATER CONSERVATION DISTRICT

At the
Bee Cave School House
13333-A Highway 71 West
Bee Cave, Texas 78738
(Bee Cave Schoolhouse is located adjacent to Lake Travis Fire and Rescue Station 603)

Wednesday, January 8, 2020 at 10:00 am

1. Call to order, declare meeting open to the public, and take roll

Director and Board President Scadden called the meeting of the Southwestern Travis County Groundwater Conservation District (SWTCGCD or District) Board of Directors to order at 10:00 AM on January 8, 2020. Six District Directors were present constituting a quorum, including Directors Scadden, Dower, Davis, Urie, Van Ackeren and Hennings. Also present were Kirk Holland, Kodi Sawin, and Pete Golde.

The meeting sign-in sheet is attached as Exhibit A

2. Public comments

Director Scadden called for public comments and he advised that Charlie Flatten is the new General Manager for the Hays Comal GCD. There were no public comments.

3. Discuss, consider and possibly act on approving the previous meeting minutes

Approval of the December 4, 2019 Meeting Minutes.

On a motion by Director Hennings and a second by Director Davis the final draft version of the December 4, 2019 meeting minutes was approved – 6 Ayes to 0 Nays

A copy of the approved December 4, 2019 Meeting Minutes is attached as Exhibit B

4. Receive, discuss and take action as necessary for Board Committee Reports.

a. Finance

Director Urie presented the financial report for the period ending 12/31/2019. He advised that one check was written to Director Scadden for \$70.99 to reimburse him for mileage driving to the GMA 9 meeting in Bulverde and that the balance in the checking account at the end of the period was \$11,858.92.

The financial report is attached as Exhibit C

b. Legislative

Director Davis discussed the Texas Senate public hearing scheduled for January 22nd. She said that other sources of water will be a topic (including “produced water”) as well as Senator Perry’s opinion of how GCDs are doing, and a comparison of rules for different GCDs. Director Davis provided a copy of the agenda for the public hearing and said that she plans to attend.

The public hearing agenda is attached as Exhibit D

Director Hennings said that she sent an email to the Board regarding a study done by Texas A&M on GCDs.

c. Science-Outreach

Director Hennings advised that on Friday January 10th at 10:00 AM the Barton Springs Edwards Aquifer Conservation District will present further progress they have made on the southwestern Travis County hydrologic study. She said that she and Kirk Holland will attend. They will focus on areas that are important to the SWTCGCD Management Plan and rulemaking. Director Scadden said that he would post a notice in case there is a SWTCGCD quorum in attendance.

d. Groundwater Management Plan

Director Scadden commented that the Board has not provided Kirk Holland with much feedback on the draft Management Plan. Mr. Holland advised that he has tried to incorporate what he heard at the last month’s work session. Director Scadden said that the Management Plan Committee needs to call a meeting and proposed January 21st at 10:00 AM at the Bee Cave schoolhouse.

e. Nominating Committee for Board Vacancy

The Nominating Committee members are Directors Davis, Dower, and Hennings. They advised that there are two candidates for the vacant Director position. Carl Jones is a Spicewood resident in the northwestern part of the District who depends on a well. The second candidate is Brian Hunt who is a resident of Oakhill and has a well that is used as a monitoring well but is not used for his domestic water supply. Director Scadden said he would like to have an executive session during next month’s meeting to decide on one candidate and then vote to appoint that candidate.

5. Discuss, consider, and possibly act on having a booth at the HCA Hill Country Living Festival + Rainwater Revival on April 4, 2020.

Director Hennings advised that the Hill Country Alliance has reserved a booth for the SWTCGCD at the HCA Hill Country Living Festival + Rainwater Revival and offered the early bird booth registration fee of \$125. Director Hennings said that she is willing to donate the \$125 fee. Director Scadden offered the opinion that it was not necessary for Director Hennings to donate the fee and that the District could pay it.

On a motion by Director Davis and a second by Director Van Ackeren the Board approved paying the \$125 booth registration fee for the HCA Hill Country Living Festival + Rainwater Revival – 6 Ayes to 0 Nays

6. Discuss, consider, and possibly act on SWTCGCD budgeting activities, Travis County funding and the ILAs with Travis County.

Director Scadden provided copies of a draft budget to the Budget Committee. He said it is based on a sample budget provided by Ron Fieseler (GMA 9) and it needs to be expanded to include revenues. Director Scadden went on to say that the Board needs to adopt a fiscal year and he proposed October 1st through September 30th which is the same as Travis County.

On a motion by Director Dower and a second by Director Hennings the Board approved adopting a fiscal year running from October 1st through September 30th – 6 Ayes to 0 Nays

Director Dower pointed out that the draft budget should be for a full fiscal year (October 2019 through September 2020). Director Scadden said that Travis County is looking for office space for the SWTCGCD to use. He added that he does not think an in-kind service like office space would be deducted from the \$100K committed to the SWTCGCD by Travis County so there is \$0 in the draft budget for rent. Kirk Holland suggested that the budget should include revenue sources even if it is a grant. A brief discussion of several of the budget items and amounts ensued with no specific changes proposed.

The draft budget provided by Director Scadden is attached as Exhibit E

Director Scadden pointed out that TAGD may waive the first year dues so the \$1,300 in the budget may not be required. Director Davis said that she plans to attend the TDGD quarterly meeting and she will pursue application for waiver of the first year dues. Director Van Ackeren said that he would like to attend the TAGD meeting as well.

On a motion by Director Dower and a second by Director Davis the Board approved funding for two directors to attend the TAGD quarterly meeting up to \$240 per person – 6 Ayes to 0 Nays

Director Scadden said that the SWTCGCD's obligation to pay their share of the GMA 9 study charges has not been resolved yet but the goal is for the SWTCGCD Board to approve a budget at the February meeting.

7. Discuss, consider, and possibly act on By-Laws for the SWTCGCD.

Kodi Sawin drafted a By-Laws document which Director Scadden and Mr. Holland reviewed and commented on. Mr. Holland suggested that the By-Laws should ultimately be rolled into the SWTCGCD rules. The Board reviewed the Draft By-Laws and comments and reached a consensus on the comments. Ms. Sawin will prepare a revised draft and distribute it to the directors with the goal of approving them at the February meeting.

8. Discuss, consider and possibly act on the draft Management Plan, including but not limited to, concepts for guiding principles and intended approaches in developing the initial SWTCGCD Management Plan.

Director Hennings started the discussion of the Management Plan by saying that she is concerned that not all the Trinity Aquifer in the District is "Non-Relevant", just Area 2 is. Director Scadden and Mr. Holland said that Ron Fieseler from GMA 9 has reminded that the Desired Future Condition (DFC) is an average over the entire GMA. Kirk Holland added that the DFC applies to the entire District. The SWTCGCD can establish a Management Zone and there is a good basis for sub-

dividing the GMA, but until the GMA is sub-divided, we can only declare “Non-Relevant” and manage as SWTCGCD sees appropriate. Mr. Holland suggested talking with Robert Bradley at the Texas Water Development Board about our hydrology information and the inability to meet the GMA 9 DFC. Director Scadden asked the Directors to review Mr. Holland’s Management Plan document and be prepared to discuss at the committee meeting on the 21st with the goal of approving at the February meeting.

9. Discuss and possibly establish agenda items for next Board meeting.

- BSEACD presentation on the final study results
- TAGD membership
- Board Vacancy
- Hiring GM and Legal Counsel
- Budget
- By-Laws
- Management Plan

10. Discuss, consider and possibly act on setting the date, time, and location for next Board meeting.

The next monthly meeting will be on February 12, 2020 at 10:00 AM (Mr. Holland will not be available to attend)

11. Adjourn.

On a motion by Director Dower and a second by Director Hennings the Board voted to adjourn the meeting – 6 ayes to 0 nays. The meeting was adjourned at 1:04 PM.

PASSED, APPROVED AND ADOPTED THIS 12th day of February 2020

Tim Van Ackeren, Secretary

Exhibit C

Financial report for the period ending 1/31/2020

**SW Travis Cty. Groundwater Conservation Dist.
Reconciliation Detail
Independent Bank, Period Ending 01/31/2020**

Type	Date	Num	Name	Clr	Amount	Balance
Beginning Balance						11,858.92
Cleared Transactions						
Checks and Payments - 2 items						
Bill Pmt -Check	01/09/2020	100	GoDaddy	X	-21.17	-21.17
Bill Pmt -Check	01/16/2020	117	TAGD	X	-360.00	-381.17
Total Checks and Payments					-381.17	-381.17
Deposits and Credits - 1 item						
Deposit	01/31/2020			X	0.50	0.50
Total Deposits and Credits					0.50	0.50
Total Cleared Transactions					-380.67	-380.67
Cleared Balance					-380.67	11,478.25
Uncleared Transactions						
Checks and Payments - 1 item						
Bill Pmt -Check	01/25/2020	118	HCA - Rainwater ...		-125.00	-125.00
Total Checks and Payments					-125.00	-125.00
Total Uncleared Transactions					-125.00	-125.00
Register Balance as of 01/31/2020					-505.67	11,353.25
Ending Balance					-505.67	11,353.25

Exhibit D

Approved FY 2019/2020 Budget

**Southwestern Travis County Groundwater Conservation District
Fiscal Year 2020 Budget**

October 1, 2019 - September 30, 2020

Approved by SWTCGCD Board on 12 February 2020

Revenues				
Current Revenues¹				
	Category/Description	FY 2020 Budget	Totals	% of FY20 Revenue
	Registration/Administration Fee	\$0		0.0%
	Construction Fee	\$0		0.0%
	Permit Renewal Application Fees	\$0		0.0%
	Water Utility Service Connection Fee	\$0		0.0%
	Production Fee	\$0		0.0%
	Interest Income	\$0		0.0%
	Interest Income Savings Account	\$0		0.0%
	Misc. Income	\$0		0.0%
	Funding from Travis County	\$115,000		100.0%
	Reimbursements	\$0		0.0%
	Funds transferred from Reserve Funds to Gen Funds	\$0		0.0%
	Enforcement Penalty Income	\$0		0.0%
	Technical Projects Cost Sharing Reimbursements	\$0		0.0%
	Total Projected FY20 Revenues		\$115,000	100.0%
Resources Brought Forward from FY19				
	<i>Resources Available for Current Expenses</i>			
	General Funds projected balance carryover from FY19	\$1,408		
	Available Resources Total		\$1,408	
	FY20 Revenues plus Available Resources		\$116,408	
	Resources Reserved from FY20 for FY21			
	End of Employment Reserve Fund	\$0		
	Vehicle Replacement Reserve Fund	\$0		
	Office Bldg. Maint. Reserve Fund	\$0		
	Legal Expenses Reserve Fund	\$0		
	GMA 9 Study cost sharing (FY21 and FY22)	\$5,000		
	Contingency Reserve Fund	\$0		
	Interest Earned on Savings Account	\$0		
	Reserve Funds Total		\$5,000	
Expenses				
				% of Expenses
	Outstanding Obligations	\$0		0.0%
	Personnel Expenses	\$2,225		2.2%
	Vehicle Expenses	\$2,000		2.0%
	Contract Services and Election Expenses	\$76,000		75.6%
	Office and Administrative Expenses	\$13,811		13.7%
	Technical Operations Expenses	\$6,525		6.5%
	Contingency Fund FY19 Allocation	\$0		0.0%
	Total FY20 Expenses		\$100,561	100.0%
	Total FY20 Expenses and cost for reserves		\$105,561	
	FY20 Gross Balance (all assets-expenses)		\$10,847	
	FY20 carryover to FY21		\$10,847	
	FY20 Net Balance		\$0	

¹Revenues from the collection of fees have not been included in this budget because the SWTCGCD Management Plan and Rules, which would be the basis for implementing fees, have not been completed. Revenue from the collection of fees will be added through a budget amendment at a future date when the basis for the fees is established.

Exhibit E

Approved SWTCGCD By-Laws

SOUTHWESTERN TRAVIS COUNTY GROUNDWATER CONSERVATION DISTRICT BYLAWS
Approved by SWTCGCD Board on February 12, 2020

SECTION 1. DISTRICT CREATION, PURPOSE & POWERS

1.1. District Creation and Purpose.

The Southwestern Travis County Groundwater Conservation District (District) was created under the authority of Section 59, Article XVI, of the Texas Constitution in accordance with Chapter 36 of the Texas Water Code by Acts of the 85th Legislature in 2017, codified as Chapter 8871, Special District Local Laws Code (“the District Act”), as a governmental agency and a body politic and corporate. The District’s boundaries are within the southwestern quarter of Travis County bound to the west by Blanco and Burnet counties, southwest by Hays County, southeast by the northwestern boundary of the Barton Springs/Edwards Aquifer Conservation District (BSEACD) and to the north by the Colorado River (Lake Travis, Lake Austin, and Lady Bird Lake).

1.2 Powers of the District.

Except as otherwise specified by the District Act, the District has all of the rights, powers, privileges, authority, functions, and duties provided by the general laws of this state, including Chapter 36 of the Texas Water Code, applicable to groundwater conservation districts created under Section 59, Article XVI, of the Texas Constitution.

1.3 Severability.

If any one or more of the provisions contained in these Bylaws are for any reason held to be invalid, illegal, or unenforceable in any respect, the invalidity, illegality, or unenforceability may not affect any other Bylaws or provisions of these Bylaws, and these Bylaws must be construed as if such invalid, illegal or unenforceable Bylaws or provision had never been contained in these Bylaws.

SECTION 2. THE BOARD

2.1 Purpose of the Board.

The Board sets policy and makes the final decision on matters not delegated to the General Manager. Board policy is designed to provide for the conservation, preservation, protection, recharge, and prevention of waste of groundwater within the District, as well as to exercise the rights, powers, and duties of the District in a manner that will effectively and expeditiously accomplish the purposes of the Act creating the District, Chapter 36 of the Texas Water Code, and Section 59, Article XVI, of the Texas Constitution. The Board’s responsibilities include, but are not limited to, the adoption and enforcement of reasonable rules, policies, permits, orders, and a management plan.

2.2. Board of Directors.

- a. The District is governed by the Board, which is comprised of seven (7) elected Directors. A person who is duly elected and qualifies to serve as a Director on the Board is entitled to participate in votes relating to the business of the District as soon as the Director takes the oath of office.
- b. As set forth under the District Act, Directors serving on the District's Board serve four (4) year terms. The Directors comprising the Board are elected in accordance with the provisions of the District Act, with three Directors having staggered terms with the other four Directors.
- c. A Director serves on the Board until their successor has qualified for the Directorship under Subsection (a) of this Section. If there is a vacancy on the Board, the Board shall appoint an eligible and willing constituent to serve as Director for the remainder of the vacated term as provided by the District Act.
- d. At the first Board meeting following an election or annually during November's regularly scheduled Board meeting, the Board shall select Directors to serve as officers of the Board. The officers to be elected include a President to preside over Board meetings and proceedings, one to serve as Vice President to preside in the absence of the President, and another to serve as Secretary/Treasurer to keep a true and complete account of all meetings and proceedings of the Board. Alternatively, the roles of Secretary and Treasurer may be assigned to separate Directors. The officer's duties may be prescribed by the Board in these Bylaws, the District Rules, duly adopted resolutions or motions made in open meetings of the Board.
 - 1) The President is the chief executive officer of the District, presides at meetings of the Board, and shall execute documents on behalf of the District. The Vice President shall act as President in case of the absence or disability of the President, except as set forth in Subsection (e) of this Section. The Secretary is responsible for seeing that records and books of the District are properly kept and shall attest the President's signature on documents. The Treasurer ensures financial policies of the District are followed.
 - 2) The Board may appoint other Directors, the General Manager, or any employee as an assistant or Assistant Secretary to assist the Secretary, and any such person shall be entitled to certify as to the authenticity of any record of the District, including but not limited to proceedings relating to bonds, contracts, or indebtedness of the District.
- e. In the event an officer of the Board vacates their position, resigns, becomes unable to serve as an officer or is removed from office, the Board shall select another Director to serve the remainder of the unexpired term of such officer. If the Board selects a Director who holds another position as officer at the time of the vacancy to fill the unexpired term, the Board shall select another Director to serve the remainder of the unexpired term of such second officer.

- f. An officer may be removed by majority vote of the Board for any cause and at any regular or special meeting of the Board as long as the matter is posted on the meeting agenda. The Board may vote on the replacement officer at the same meeting following the vote to remove. The Board agenda must specify that the Board will consider and take action on removal and replacement of one or more officers of the Board. Removal as an officer has no effect on that person's position as a Director.
- g. Directors shall, pursuant to the provisions of Chapter 171 and 176 of the Local Government Code and the Texas Water Code, complete and keep updated disclosure forms prescribed by these statutes and timely disclose any conflict of interest with specific matters pending before the Board, and shall also refrain from participation in the discussion or decision on such matters.
- h. Persons serving as Directors are volunteers and, as such, will not be compensated for their time dedicated to efforts on behalf of the District.

2.3 Reimbursement.

- a. Each Director is entitled to receive reimbursement of actual expenses reasonably and necessarily incurred while engaging in activities on behalf of the District, preferably with preapproval by the Board before the expense is incurred.
- b. Any District official desiring reimbursement for expenditures shall present a verified statement thereof to the District, together with all supporting receipts and invoices. These expenses shall be submitted to the District Treasurer or General Manager, and a check for payment of same shall be issued after review and approval.

2.4 Financial Policies.

- a. Subject to the laws governing the District and established Interlocal Agreements, the Board shall develop and adopt the following in writing:
 - 1) a code of ethics for Directors as well as other District officers, employees, or any other persons engaged in the handling of assets or investments for the District;
 - 2) a policy relating to travel expenditures and other reimbursable expenses;
 - 3) a policy relating to District investments which ensures that:
 - a. purchases and sales of investments are initiated by authorized individuals, conform to investment objectives and regulations, and are properly documented and approved; and
 - b. periodic review is made of District investments to evaluate investment performance and security;

- 4) policies and procedures for the selection, monitoring, reviewing, and evaluation of professional services contracted for or otherwise utilized by the District; and
- 5) policies that ensure a better use of management information, including:
 - a. budgets for use in planning and controlling costs;
 - b. an audit or finance committee of the Board; and
 - c. uniform reporting requirements that use “Audits of State and Local Governmental Units” as a guide on audit working papers and that uses “Governmental Accounting and Financial Reporting Standards.”

2.5 Meetings and Hearings.

- a. The Board may hold a regular meeting each month as the Board may establish from time to time. At the request of the President, or by written request of at least two Directors, the Board may hold special meetings. Board meetings shall be held in accordance with the Texas Open Meetings Act. Each regular or special Board meeting will have notice of the meeting and its agenda posted on the District website and physically at the District office and meeting location no less than seventy-two (72) hours before the meeting. To the extent necessary for orderly conduct of proceedings, the guidelines of “Parliamentary Procedure at a Glance,” New Edition, by O. Garfield Jones, 1971 revised edition, or as amended, may be followed.
- b. From time to time a Board Meeting may include a Public Hearing to address specific matters such as permitting, rule changes and other matters where a Public Hearing is legally required by statute or by District Rules. Except for rulemaking purposes, each Public Hearing will be separately noticed no less than ten (10) days before the Hearing, with the Hearing information posted on the District website, at the District office and meeting location, and also notification provided to the Travis County Clerk’s Office. Public Hearings for rulemaking will be posted similarly but will have twenty (20) days minimum notice period.
- c. Notices of Groundwater Management Area (GMA) meetings by the District and with a common agenda provided by the GMA Coordinator will be posted at least ten (10) days in advance of the meeting on the District website, at the District office, and also notification provided to the Travis County Clerk’s Office.
- d. Public comments of a general nature may be made under a separate public comment item listed on the agenda. Specific comments on any posted agenda item may be made following recognition of the speaker by the Presiding Officer. A speaker may sign up to speak for any posted item and may speak for up to three (3) minutes. Up to five (5) minutes of speaking time may be given to a person speaking on behalf of a group of five or more citizens. Speakers may only address the item for which they signed up. Speakers are not allowed to pass time to other speakers. The Presiding Officer may limit repetitive comments or comments that are cumulative of comments already received by the Board.

- e. From time to time and as may be necessary, the Board may hold work sessions to discuss and evaluate issues in such detail as to require open and free discussion not normally possible in regular Board meetings. During work sessions of the Board, no public comment will be heard, unless specifically requested by a Director and recognized by the Board President or Presiding Officer. Public comment may be made at the time the item(s) is (are) up for discussion at a regular Board Meeting.
- f. At any Board Meeting, the Presiding Officer may convene an Executive Session for purposes authorized by Subchapter "D" of the Open Meetings Act to address an item included on the current meeting's agenda. Before conducting the Executive Session, the Presiding Officer shall announce that an Executive Session is being convened and that it is closed to the public, and shall identify the section or sections of the Open Meeting Act under which the closed meeting shall be held. No final action shall be taken in an Executive Session.
- g. A majority of the membership of the Board constitutes a quorum for any meeting, and a concurrence of a majority of the entire membership of the Board is sufficient for transacting any business of the District.
- h. Should weather conditions or other unforeseen circumstance prevent attendance by a quorum of the Board, the meeting may be canceled and reposted for a later date, not sooner than seventy-two (72) hours after the canceled meeting unless posted as an emergency in compliance with State Law. The District will make reasonable effort to notify the public in advance of a canceled meeting.

2.6 Committees.

- a. The Board may establish advisory committees for formulation of policy recommendations to the Board or for such other purposes as the Board may designate. The President shall appoint the committee chairman. The President will take under advisement Director's recommendations for committee members.
- b. Members of the various committees may be made up entirely of Directors, entirely of members of the general public, or any combination thereof. A Committee will be made up of residents of the District as much as is feasible. Membership may include individuals residing outside the District when the Board determines it would be in the best interest of the committee's work efforts and the District. Membership is voluntary and committee members serve without compensation.
- c. Members of committees will be selected from persons recommended to the Board by Directors.
- d. Committee size will be limited to a number that may reasonably address an issue and will be determined by the Board.
- e. Members of committees who miss three or more consecutive committee meetings may, at the request of the committee chair, be replaced by the Board President.

2.7 Ex Parte Communications.

Board members may not communicate, directly or indirectly, in connection with any issue of fact or law in any contested case before the Board, with any agency, person, party, or their representatives, except following notice and opportunity for all Directors to participate. A Board member may communicate with other members of the Board on other matters that are or will be posted for consideration by the Board, but may not communicate, either sequentially or by conference, with the number of Directors that would constitute a quorum of the Board, which would violate the Open Meetings Act.

SECTION 3. DISTRICT STAFF

3.1 General Manager.

- a. The Board may employ or contract with a person to perform those services as General Manager for the District as the Board may from time to time specify. The General Manager shall have the authority to manage and operate the affairs of the District, subject to the policies, guidelines and orders of the Board.
- b. The Board may delegate to the General Manager the authority to employ persons necessary for the proper handling of the business and operations of the District and, with consultation of the Board, determine the compensation to be paid to employees other than the General Manager.
- c. At least annually, the Board shall determine the compensation to be paid to the General Manager and review the actions and performance of the General Manager to determine how the General Manager has fulfilled their responsibilities and whether additional responsibilities should be delegated.
- d. In the absence of a General Manager, the President shall exercise the duties delegated to the General Manager under the Rules of the District.
- e. The General Manager serves at the pleasure of the Board, which may take action to modify or terminate such service as it alone deems appropriate.

3.2 Delegation of Authority.

The General Manager may delegate administrative duties as may be necessary to effectively and expeditiously accomplish those duties, provided, however, that no such delegation shall relieve the General Manager of responsibilities that are ultimately the General Manager's under the Act, Rules, or Board Orders.

SECTION 4. MANAGEMENT OF DISTRICT

4.1 Management of District.

- a. The Board shall be responsible for the management of the affairs of the District. The District shall employ or contract with persons, firms, partnerships, corporations, or other entities, public or private, deemed necessary by the Board for the conduct of the affairs of the District, including, but not limited to, engineers, attorneys, financial advisors, operators, bookkeepers, tax assessors and collectors, auditors, and administrative staff.
- b. The Board shall set the compensation and terms for employees, contract workers, consultants, and other professional service providers.
- c. In selecting attorneys, engineers, auditors, financial advisors, or other professional consultants, the District shall follow the procedures provided in the Professional Services Procurement Act, Subchapter A, Chapter 2254, Texas Government Code.
- d. The Board shall adopt Bylaws to govern the affairs of the District to perform its purposes and amend them from time to time.
- e. The Board may, by resolution, authorize the General Manager or other employee to execute documents on behalf of the District.
- f. The Board shall also have the right to purchase materials, supplies, equipment, vehicles, and machinery needed by the District to conduct its affairs.

4.2 Annual Report.

At fiscal year end the President or General Manager shall report to the Board on the status of the District and its programs. The report shall include, if applicable, the following:

- 1) the status of the Aquifer and the District's programs to protect and conserve the Aquifer;
- 2) a financial report, including a report from the Board's audit committee, and a report on the performance and security of District investments, if any;
- 3) a review and evaluation of professional services rendered to the District during the year;
- 4) a report on the status of any capital projects of the Districts; and
- 5) an evaluation of the District's performance in light of long-range plans developed pursuant to Section 36.1071 of the Texas Water Code.

The Board shall review and act to accept the Report. After Board acceptance the Annual Report will be published on the District's website.

4.3 Fiscal Year.

The District's fiscal year shall begin on the first day of October 1.

4.4 Budget.

Prior to the commencement of each fiscal year, the Board shall hold a Public Hearing on and subsequently adopt an annual Budget. From time to time, the Board may amend the Budget following a Public Hearing. The District by resolution, following a Public Hearing with ten (10) days notice, shall establish a Fee Schedule each year that comports with the approved annual Budget.

4.5 Audit.

The Board shall prepare an annual examination of its affairs by an independent certified public accountant or a firm of independent certified public accountants, which audit shall be open to public inspection. The audit shall be performed in accordance with generally accepted auditing standards and shall satisfy all requirements imposed by Chapter 36, Texas Water Code.

4.6 Indemnification.

To the full extent allowed by law, the District shall indemnify any Director, officer, or employee, or former Director, officer, or employee of the Board of Directors, or any person who may have served at its request, against expenses actually and necessarily incurred by him or her, and any amount paid in satisfaction of judgments in connection with any action, suit or proceeding, whether civil or criminal in nature, in which he or she is made a party by reason of being or having been such a Director, officer, or employee (whether or not a Director, officer or employee at the time such costs or expenses are incurred by or imposed upon him or her) except in relation to matters as to which he or she shall be adjudged in such action, suit or proceeding to be liable for gross negligence or willful misconduct in the performance of duty. The District may also reimburse any Director, officer or employee the reasonable costs of settlement of any such action, suit or proceeding, if it shall be found by a majority of the Directors not involved in the matter in controversy, that it was in the interests of the District that such settlement be made and that such Director, officer or employee was not guilty of gross negligence or willful misconduct. Such rights of indemnification and reimbursement shall not be deemed exclusive of any other rights to which such Director, officer or employee may be entitled by law or under any Bylaw, Board resolution, agreement, or otherwise.

SECTION 5. DISTRICT

5.1 District Address.

- a. The District's mailing address is P.O. Box 340595, Austin, Tx 78734.
- b. The District mailing address and office address may be changed from time to time by resolution of the Board.

5.2 Minutes and Records of the District.

- a. The Board shall keep a complete account of its meetings and proceedings, and shall preserve its minutes, contracts, records, notices, accounts, receipts, and other records in a safe place.

- b. The records of the District are the property of the District and are subject to Chapter 552, Government Code.
- c. The preservation, storage, destruction, or other disposition of the records of the District is subject to the requirements of Chapter 201, Local Government Code, rules adopted thereunder, and the District's Document Retention Policy.
- d. Documents, reports, records, and minutes of the District shall be available for public inspection and copying in accordance with the Public Information Act.

5.3 Certified Copies.

Requests for certified copies must be made on the "Open Records Request". Certified copies shall be made under the direction of the General Manager. Persons who are furnished certified copies may be assessed a certification charge, in addition to the copying charge, pursuant to policies established by the Board or General Manager.

5.4 Office Hours.

The regular office hours of the District shall be determined by the General Manager or the Board. From time to time, circumstances may require the General Manager to modify these hours on a temporary basis. Operating hours, both regular and temporary, shall be posted on or near the front door to the District office.

5.5 Official Seal.

By resolution, the Board may adopt an official seal for the District to be used on permits and other official documents of the District.